

**APPLICATION CHECKLIST/INFORMATION FORM**

DEVELOPER : HTG Akins Developer, LLC	OWNER : HTG Akins, LLC
PROJECT : Akins East	FUNDING CYCLE DEADLINE : May 1, 2020
FEDERAL TAX ID NO: TBD	DUNS NO: TBD
PROJECT ADDRESS: 3417 E. MLK Blvd	PROGRAM : RHDA
CONTACT NAME : Val DeLeon	AMOUNT REQUESTED: \$3,500,000
CONTACT ADDRESS AND PHONE : 7035 Bee Caves Road, Suite 203 Austin, TX 78746 (512) 417-0985	

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The applicant/developer certifies that the data included in this application and the exhibits attached hereto are true and correct.

*Unsigned/undated submissions will not be considered.*

**SIGNATURE OF APPLICANT**



**PRINTED NAME**

Matthew Rieger

**TITLE OF APPLICANT**

Manager of Managing Member

**DATE OF SUBMISSION**

**DATE AND TIME STAMP OF RECEIPT**

*Received 5-1-2020 EM*



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May 1, 2020

James May  
Neighborhood Housing & Community Development  
1000 East 11<sup>th</sup> Street, 2<sup>nd</sup> Floor  
Austin, TX 78702

RE: Executive Summary – Akins East

Akins East is a proposed new construction development for active seniors aged 55 and older located at 3417 E. MLK Blvd. The development site is located on 6.28 acres of vacant land currently owned by the St. James Baptist Church.

Akins East will be 181 units of one- and two-bedroom units comprised of one multi-story elevator served building and three, six-plex buildings. The development will serve seniors earning 30%, 50%, 60% of the area median income, with some units reserved at market rents.

Akins East units will feature all hard surface flooring, energy star premium appliance packages, a fitness center, and amenity space for social gatherings and supportive services.

We are pleased to present the following application for Rental Housing Development Assistance funding which gives a comprehensive evaluation of the development site, development team members, and the capacity to make Akins East a reality.

We look forward to working with the City of Austin to help achieve the city's goal of providing more affordable housing in the city. If you have any questions, please feel free to contact Val DeLeon at [valentind@htgf.com](mailto:valentind@htgf.com) or (512) 417-0985.

## INSTRUCTIONS FOR APPLICATION SUBMISSION - UPDATED NOVEMBER 2019

All the tabs in the workbook need to be filled out for a complete application.

The Application Checklist/Information Form should be placed on top of the packet followed by the Executive Summary / Project Proposal.

The contents of the HDA Application Packet should be named and arranged in the order of the tabs mentioned in the application checklist info form.

A colored separator sheet between the tabs is preferred.

**Each item on the application checklist info form should be initialed by the applicant confirming the inclusion of each attachment and the checklist signed off by the applicant prior to submission.**

A physical copy of the application and a scanned pdf version are to be submitted by mail/in person and email respectively.

The mailing address for the printed and signed copy to be delivered is:

*Department of Neighborhood Housing and Community Development*

*1000 East 11th Street, Ste 200*

*Austin, Texas 78702*

*Attn: James May*

*Community Development Manager*

If you are interested in applying for RHDA funds , please read the RHDA Program Guidelines here:

[http://www.austintexas.gov/sites/default/files/files/311/RHDA\\_Guidelines.pdf](http://www.austintexas.gov/sites/default/files/files/311/RHDA_Guidelines.pdf)

OHDA program guidelines are available here:

[http://www.austintexas.gov/sites/default/files/files/OHDA\\_Guidelines\\_2018-19.pdf](http://www.austintexas.gov/sites/default/files/files/OHDA_Guidelines_2018-19.pdf)

A copy of all the maps generated for the project address needs to be submitted with the application. Map series and instructions are available here.

<https://austin.maps.arcgis.com/apps/MapSeries/index.html?appid=f4aa2b13f1664280ba55075f68e4c375>

Applications can be submitted all around the year but will be reviewed for funding on a quarterly basis.

The application calendar for FY19-20 is available here.

[http://www.austintexas.gov/sites/default/files/files/RHDA\\_OHDA\\_19-20\\_Application\\_Calendar\\_.pdf](http://www.austintexas.gov/sites/default/files/files/RHDA_OHDA_19-20_Application_Calendar_.pdf)

If you have any questions about the application, please contact:

*James May*

*512-974-3192*

*james.may@austintexas.gov*

*Ellis Morgan*

*512-974-3121*

*ellis.morgan@austintexas.gov*

*Deepa Vasan*

*512-974-3572*

*deepa.vasan@austintexas.gov*

5/1/2020

FOR AHFC USE ONLY

**Project Summary Form**

1) <b>Project Name</b> Akins East	2) <b>Project Type</b> Mixed-Income	3) <b>New Construction or Rehabilitation?</b> New Construction
4) <b>Location Description</b> (Acreage, side of street, distance from intersection) 3417 E. MLK Blvd		5) <b>Mobility Bond Corridor</b> East MLK/FM 969
6) <b>Census Tract</b> 21.09	7) <b>Council District</b> District 1	8) <b>Elementary School</b> SIMS EL
9) <b>Affordability Period</b> 45 years		
10) <b>Type of Structure</b> Multi-family	11) <b>Occupied?</b> No	12) <b>How will funds be used?</b> Acquisition and Pre-development

13) Summary of **Rental Units by MFI Level**

Income Level	Efficiency	One Bedroom	Two Bedroom	Three Bedroom	Four (+) Bedroom	Total
Up to 20% MFI						0
Up to 30% MFI		8	7			15
Up to 40% MFI						0
Up to 50% MFI		38	20			58
Up to 60% MFI		33	39			72
Up to 80% MFI						0
Up to 120% MFI						0
No Restrictions		23	13			36
<b>Total Units</b>	<b>0</b>	<b>102</b>	<b>79</b>	<b>0</b>	<b>0</b>	<b>181</b>

14) Summary of **Units for Sale at MFI Level**

Income Level	Efficiency	One	Two	Three	Four (+)	Total
Up to 60% MFI						0
Up to 80% MFI						0
Up to 120% MFI						0
No Restrictions						0
<b>Total Units</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

15) **Initiatives and Priorities** (of the Affordable Units)

Initiative	# of Units	Initiative	# of Units
Accessible Units for Mobility Impairments	10	Continuum of Care Units	4
Accessible Units for Sensory Impairments	4		

**Use the City of Austin GIS Map to Answer the questions below**

- 16) Is the property within 1/2 mile of an Imagine Austin Center or Corridor?  Yes
- 17) Is the property within 1/4 mile of a High-Frequency Transit Stop?  Yes
- 18) Is the property within 3/4 mile of Transit Service?  Yes
- 19) The property has Healthy Food Access?  Yes

20) **Estimated Sources and Uses of funds**

<b>Sources</b>	
Debt	15,037,278
Third Party Equity	13,948,600
Grant	381,656
Deferred Developer Fee	698,717
Other	
<b>Previous AHFC Funding</b>	
<b>Current AHFC Request</b>	<b>3,500,000</b>

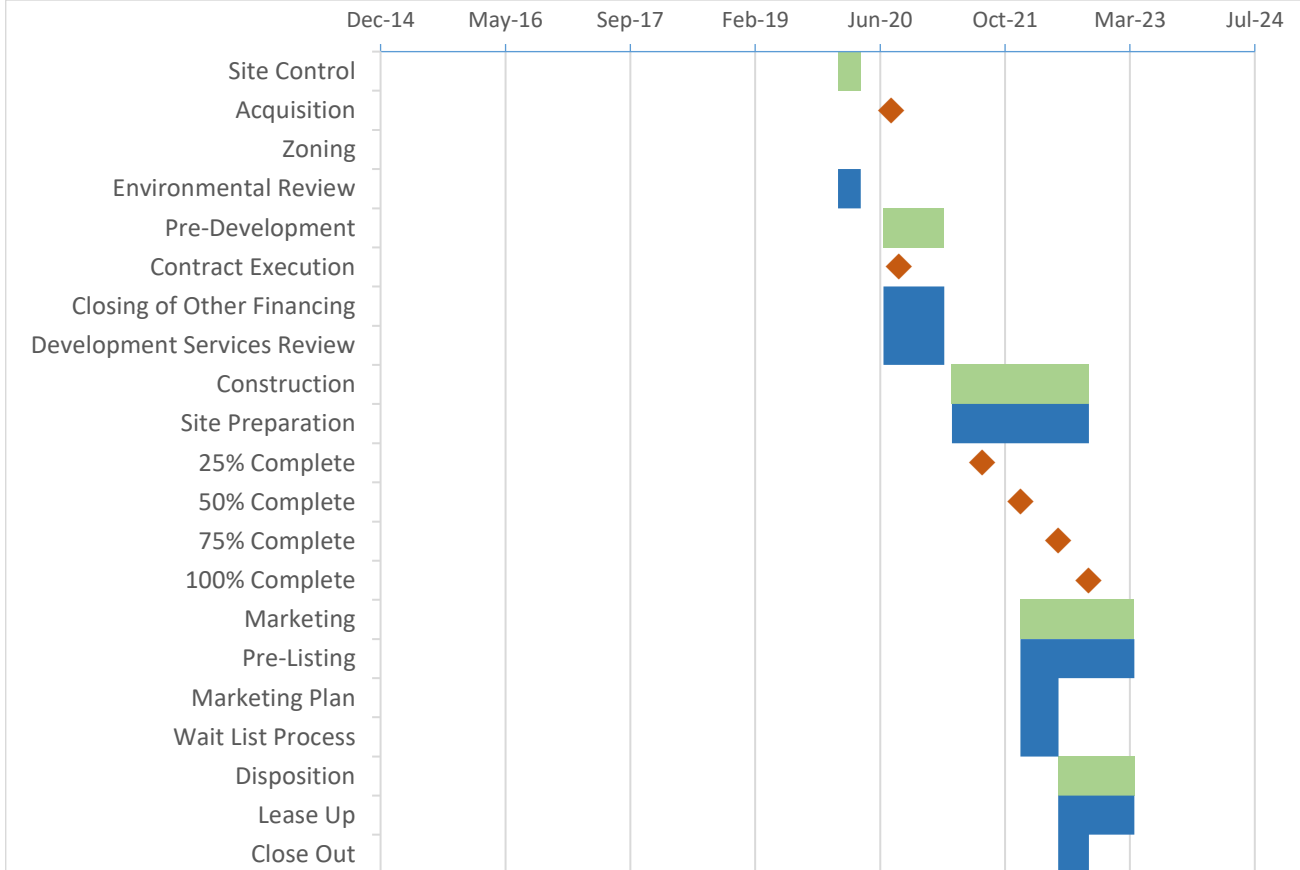
<b>Uses</b>	
Acquisition	6,200,000
Off-Site	123,580
Site Work	2,150,000
Sit Amenities	1,000,000
Building Costs	12,126,420
Contractor Fees	3,384,920
Soft Costs	3,325,073
Financing	2,004,924
Developer Fees	3,251,334

**Total \$ 33,566,251**

**Total \$ 33,566,251**

## Development Schedule

	Start Date	End Date
<b>Site Control</b>	Jan-20	Apr-20
Acquisition	Aug-20	
Zoning		
Environmental Review	Jan-20	Apr-20
<b>Pre-Development</b>	Jul-20	Mar-21
Contract Execution	Sep-20	
Closing of Other Financing	Jul-20	Mar-21
Development Services Review	Jul-20	Mar-21
<b>Construction</b>	Apr-21	Oct-22
Site Preparation	Apr-21	Oct-22
25% Complete	Aug-21	
50% Complete	Jan-22	
75% Complete	Jun-22	
100% Complete	Oct-22	
<b>Marketing</b>	Jan-22	Apr-23
Pre-Listing	Jan-22	Apr-23
Marketing Plan	Jan-22	Jun-22
Wait List Process	Jan-22	Jun-22
<b>Disposition</b>	Jun-22	Apr-23
Lease Up	Jun-22	Apr-23
Close Out	Jun-22	Oct-22





## Development Budget

	Total Project Cost	Requested AHFC Funds	Description
<b>Pre-Development</b>			
Appraisal	12,000		
Environmental Review	12,000		
Engineering	75,000		
Survey	20,000		
Architectural	540,000		
<b>Subtotal Pre-Development Cost</b>	\$659,000	\$0	
<b>Acquisition</b>			
Site and/or Land	6,200,000	3,500,000	
Structures			
Other (specify)			
<b>Subtotal Acquisition Cost</b>	\$6,200,000	\$3,500,000	
<b>Construction</b>			
Infrastructure	123,580		
Site Work	3,150,000		
Demolition			
Concrete	400,000		
Masonry	700,000		
Rough Carpentry	550,000		
Finish Carpentry	3,300,000		
Waterproofing and Insulation	1,100,000		
Roofing and Sheet Metal	500,000		
Plumbing/Hot Water	600,000		
HVAC/Mechanical	600,000		
Electrical	1,200,000		
Doors/Windows/Glass	1,100,000		
Lath and Plaster/Drywall and Acoustical			
Tiel Work	250,000		Equipment
Soft and Hard Floor			
Paint/Decorating/Blinds/Shades	300,000		Conveying Systems
Specialties/Special Equipment	250,000		
Cabinetry/Appliances	250,000		
Carpet			
Other (specify)	1,026,420		Structured Parking
Construction Contingency	1,078,000		
<b>Subtotal Construction Cost</b>	\$16,478,000	\$0	
<b>Soft &amp; Carrying Costs</b>			
Legal	60,000		
Audit/Accounting	25,000		
Title/Recordin	95,000		
Architectural (Inspections)	50,000		
Construction Interest	1,150,625		
Construction Period Insurance	250,808		
Construction Period Taxes	100,000		
Relocation			
Marketing	150,000		
Davis-Bacon Monitoring	75,000		
Other (specify)	8,272,818		Developer fee, contractor fee, other inelgible costs
<b>Subtotal Soft &amp; Carrying Costs</b>	\$10,229,251	\$0	
<b>TOTAL PROJECT BUDGET</b>	\$33,566,251	\$3,500,000	

## 15 Year Rental Housing Operating Pro Forma (RHDA)

The pro forma should be based on the operating income and expense information for the base year (first year of stabilized occupancy using today's best estimates of market rents, restricted rents, rental income and expenses), and principal and interest debt service. The Department uses an annual growth rate of 2% for income and 3% for expenses. Written explanation for any deviations from these growth rates or for assumptions other than straight-line growth made during the proforma period should be attached to this exhibit.

INCOME	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 10	YEAR 15
POTENTIAL GROSS ANNUAL RENTAL INCOME	\$2,170,548	\$2,213,959	\$2,258,238	\$2,303,403	\$2,349,471	\$2,594,006	\$2,863,992
Secondary Income	\$43,440	\$44,309	\$45,195	\$46,099	\$47,021	\$51,915	\$57,318
POTENTIAL GROSS ANNUAL INCOME	\$2,213,988	\$2,258,268	\$2,303,433	\$2,349,502	\$2,396,492	\$2,645,921	\$2,921,310
Provision for Vacancy & Collection Loss	-\$166,049	-\$169,370	-\$172,757	-\$176,213	-\$179,737	-\$198,444	-\$219,098
Rental Concessions	\$0	\$0	\$0	\$0	\$0	\$0	\$0
EFFECTIVE GROSS ANNUAL INCOME	\$2,047,939	\$2,088,898	\$2,130,676	\$2,173,289	\$2,216,755	\$2,447,477	\$2,702,212
EXPENSES							
General & Administrative Expenses	\$50,200	\$51,706	\$53,257	\$54,855	\$56,501	\$65,500	\$75,932
Management Fee	\$100,890	\$102,908	\$104,966	\$107,065	\$109,207	\$120,573	\$133,122
Payroll, Payroll Tax & Employee Benefits	\$263,622	\$271,531	\$279,677	\$288,067	\$296,709	\$343,967	\$398,752
Repairs & Maintenance	\$173,000	\$178,190	\$183,536	\$189,042	\$194,713	\$225,726	\$261,678
Electric & Gas Utilities	\$50,000	\$51,500	\$53,045	\$54,636	\$56,275	\$65,239	\$75,629
Water, Sewer & Trash Utilities	\$70,079	\$72,181	\$74,347	\$76,577	\$78,875	\$91,437	\$106,001
Annual Property Insurance Premiums	\$95,000	\$97,850	\$100,786	\$103,809	\$106,923	\$123,953	\$143,696
Property Tax	\$170,000	\$175,100	\$180,353	\$185,764	\$191,336	\$221,811	\$257,140
Reserve for Replacements	\$54,300	\$55,929	\$57,607	\$59,335	\$61,115	\$70,849	\$82,134
Other Expenses	\$44,879	\$46,225	\$47,612	\$49,040	\$50,512	\$58,557	\$67,884
TOTAL ANNUAL EXPENSES	\$1,071,970	\$1,103,120	\$1,135,185	\$1,168,191	\$1,202,166	\$1,387,612	\$1,601,968
NET OPERATING INCOME	\$975,969	\$985,778	\$995,491	\$1,005,099	\$1,014,589	\$1,059,865	\$1,100,244
DEBT SERVICE							
First Deed of Trust Annual Loan Payment	\$811,224	\$811,224	\$811,224	\$811,224	\$811,224	\$811,224	\$811,224
Second Deed of Trust Annual Loan Payment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Third Deed of Trust Annual Loan Payment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other Annual Required Payment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other Annual Required Payment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
ANNUAL NET CASH FLOW	\$164,745	\$174,554	\$184,267	\$193,875	\$203,365	\$248,641	\$289,020
CUMULATIVE NET CASH FLOW	\$164,745	\$339,299	\$523,566	\$717,440	\$920,806	\$2,050,821	\$3,394,974
Debt Coverage Ratio	1.20	1.22	1.23	1.24	1.25	1.31	1.36

## Projected Affordability Data for Home Sales (OHDA)

	Unit Model 1	Unit Model 2	Unit Model 3	Unit Model 4	Unit Model 5	Unit Model 6	Unit Model 7
Number of Units	0	0	0	0	0	0	0
Number of Bedrooms	0	0	0	0	0	0	0
Square Footage	0	0	0	0	0	0	0
Anticipated Sale Price	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Borrower Contribution	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Homebuyer Subsidy	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Principal Amount of Mortgage	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Anticipated Interest Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Monthly Principal Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Monthly Interest	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Estimated Monthly Taxes	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Estimated Monthly Insurance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL Estimated PITI</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Project Name	Akins East	
Project Type	Mixed-Income	
Council District	District 1	
Census Tract	21.09	
Prior AHFC Funding	\$0	
Current AHFC Funding Request Amount	\$3,500,000	
Estimated Total Project Cost	\$33,566,251	
High Opportunity	No	
High Displacement Risk	YES	
High Frequency Transit	Yes	
Imagine Austin	Yes	
Mobility Bond Corridor	East MLK/FM 969	
<b>SCORING ELEMENTS</b>		Description
<b>UNITS</b>		
< 20% MFI	0	# of rental units at < 20% MFI
< 30% MFI	15	# of rental units at < 30% MFI
District Goal	2.12%	% of annual goal reached with units
High Opportunity	0.00%	% of annual goal reached with units
Displacement Risk	3.52%	% of annual goal reached with units
High Frequency Transit	5.47%	% of annual goal reached with units
Imagine Austin	5.47%	% of annual goal reached with units
Geographic Dispersion	0.00%	% of annual goal reached with units
Mobility Bond Corridor	17.67%	% of annual goal reached with units
<b>SCORE</b>	<b>7</b>	<b>% of Goals * 20</b>
< 40% MFI	0	# of rental units at < 40% MFI
< 50% MFI	58	# of rental units at < 50% MFI
District Goal	8.19%	% of annual goal reached with units
High Opportunity	0.00%	% of annual goal reached with units
Displacement Risk	13.62%	% of annual goal reached with units
High Frequency Transit	21.15%	% of annual goal reached with units
Imagine Austin	21.15%	% of annual goal reached with units
Geographic Dispersion	0.00%	% of annual goal reached with units
Mobility Bond Corridor	68.32%	% of annual goal reached with units
<b>SCORE</b>	<b>20</b>	<b>% of Goals * 15</b>
< 60% MFI	0	# of units for purchase at < 60% MFI
< 80% MFI	0	# of units for purchase at < 80% MFI
District Goal	0.00%	% of annual goal reached with units
High Opportunity	0.00%	% of annual goal reached with units
Displacement Risk	0.00%	% of annual goal reached with units
High Frequency Transit	0.00%	% of annual goal reached with units
Imagine Austin	0.00%	% of annual goal reached with units
Geographic Dispersion	0.00%	% of annual goal reached with units
Mobility Bond Corridor	0.00%	% of annual goal reached with units
<b>SCORE</b>	<b>0</b>	<b>% of Goals * 15</b>
<b>Unit Score</b>	<b>27</b>	<b>MAXIMUM SCORE = 350</b>
<b>INITIATIVES AND PRIORITIES</b>		
Continuum of Care	4	Total # of units provided up to 100 per year
Continuum of Care Score	0	(total CoC Units/100 + HF Units/50)*20
Access to Healthy Food	Yes	Within 1 Mile of Healthy Food (City GIS)
Continuum of Care Weighted Score	0	Mobility, Access to Jobs, Community Institutions, Social Cohesion
2 Bedroom Units	27	Total Affordable 2 Bedroom units
3 Bedroom Units	0	Total Affordable 3 Bedroom units
4 Bedroom Units	0	Total Affordable 4+ Bedroom units
Multi-Generational Housing Score	7	Multi-bedroom Unit/Total Units * 20
TEA Grade	88	Elementary School Rating from TEA
Multi-Generational Housing Weighted Score	3	Educational Attainment, Environment, Community Institutions, Social Cohesion, Ec
Accessible Units	14	mobility and sensory units
Non-PSH, Non-Voucher Under 20% MFI	0	Total units under 20% MFI
Accessibility Score	4	Accessible Unit/Total Units * 20
Metro Access Service	Yes	Within 3/4 mile of fixed route transit
Accessibility Weighted Score	2	Housing Stability, Health, Mobility, Community Institutions
<b>Initiatives and Priorities Score</b>	<b>17</b>	<b>MAXIMUM SCORE = 200</b>
<b>UNDERWRITING</b>		
AHFC Leverage	26%	% of total project cost funded through AHFC request
Leverage Score	19	25 - (% leverage * 25)
AHFC Per Unit Subsidy (including prior amounts)	\$47,945	Amount of assistance per unit
Subsidy per unit score	19	(\$200,000 - per unit subsidy)*25/\$200,000
AHFC Per Bedroom Subsidy	\$35,000	Amount of assistance per bedroom
Subsidy per Bedroom Score	21	(\$200,000 - per bedroom subsidy)*25/\$200,000
Debt Coverage Ratio (Year 5)	1.25	Measured at the 5 Year mark
Debt Coverage Ratio Score	24.93104747	Minimum = 1.0; Maximum = 1.5; 1.25 = best score
<b>Underwriting Score</b>	<b>83</b>	<b>MAXIMUM SCORE = 100</b>
<b>APPLICANT</b>		
<b>FINAL QUANTITATIVE SCORE</b>	<b>126</b>	<b>THRESHOLD SCORE = 50</b>
Previous Developments		
Compliance Score		
Proposal		
Supportive Services		
Development Team		
Management Team		
Notes		

District	Total Affordable Units	High Opportunity Areas	High Displacement Risk	High Frequency Transit/Imagine Austin	Geographic Dispersion
District 1	7086	87	4257	2742	0
District 2	4492	0	2392	2100	0
District 3	6295	0	4980	1315	0
District 4	3105	49	1120	1018	918
District 5	4473	973	756	1289	1454
District 6	8590	4165	0	1388	3037
District 7	6651	2265	771	2316	1300
District 8	7217	2781	0	928	3507
District 9	3635	676	724	1055	1180
District 10	8456	4005	0	848	3604
<b>Total</b>	<b>60000</b>	<b>15001</b>	<b>15000</b>	<b>14999</b>	<b>15000</b>



# 1. Applicant Entity



## a. Introduction



## b. Certificate of Status





## Office of the Secretary of State

### CERTIFICATE OF FILING OF

HTG Akins, LLC  
File Number: 803547205

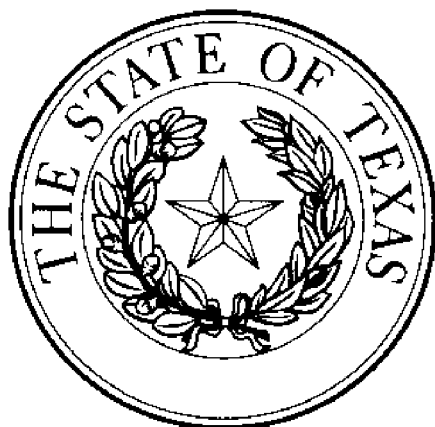
The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Limited Liability Company (LLC) has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 02/14/2020

Effective: 02/14/2020



A handwritten signature in black ink, appearing to read "Ruth R. Hughs".

Ruth R. Hughs  
Secretary of State



## c. Applicant Capacity

**As of April 2020**  
**RESUME for Matthew Rieger**



**Matthew Rieger – President and CEO of HTG**

3225 Aviation Ave, 6th Floor  
Coconut Grove, FL 33133

Matthew Rieger is President and CEO of Housing Trust Group (HTG), an award-winning, full-service developer of multifamily residential communities whose real estate transactions have exceeded \$2 billion in commercial, land and residential developments across Florida, the Southeastern U.S. and Arizona. HTG has developed nearly 6,000 units of multifamily housing, including affordable, workforce, student housing, and market-rate for rent and for sale communities, and is the leading developer of affordable housing in the State of Florida.

Prior to joining Housing Trust Group, Matthew served as an attorney at a large law firm, where he was involved in over \$1 billion worth of transactions including acquisitions, development, re-financings, and joint ventures in the United States and abroad. As President and CEO of HTG since 2011, he has focused on expanding HTG's capacity and development pipeline, bringing greater awareness to the issue of affordable and workforce housing, and working alongside industry leaders, public officials and legislators to shape policy that benefits working-class communities and families. In 2017, he was elected to serve on the Board of Directors of the Coalition of Affordable Housing Providers, a strategic alliance of non-profit and for-profit developers and professional service providers dedicated to providing safe and affordable housing to Floridians.

A native of Miami and third-generation Floridian, Matthew holds a Juris Doctorate from Nova Southeastern University and a Bachelors of Arts degree in Geography from the University of Florida. He is an active member of the Florida Bar Association and American Bar Association, and is involved with a number of charities including Habitat for Humanity, The First Tee and Wade's World Foundation.

The sole member of Rieger Holdings, LLC is Matthew Rieger as Trustee of the Matthew Rieger Trust dated 2/28/17 and Rieger Holdings, LLC is Manager-Managed and Matthew Rieger is the Manager.

**As of April 2020**

**RESUME for Randy Rieger**



**Randy Rieger – Chairman and Founder of HTG**

3225 Aviation Ave, 6th Floor  
Coconut Grove, FL 33133

Randy Rieger is the Founder and Chairman of Housing Trust Group, a multi-faceted real estate development company that develops, owns, and manages properties throughout the southeastern United States. The company and its related entities, including RER Family Partnership, Ltd. and RER Family, LLC, specialize in the development of multi-family rental communities, affordable multi-family rentals, multi-family student housing communities, commercial developments and multi-family housing sales. Housing Trust Group has been involved in the development, ownership and management of several thousand units nationwide.

Prior to forming Housing Trust Group, for some 25 years, Mr. Rieger served as Vice President, then as Managing General Partner, of Royal Palm Beach Colony, L.P. The company was a large publicly held real estate development company listed on the American Stock Exchange and was actively involved in the development of numerous large-scale communities in Western Palm Beach County, Florida. Under Mr. Rieger's leadership, Royal Palm Beach Colony, L.P. developed the Village of Royal Palm Beach, and nearly 10,000 surrounding acres.

Mr. Rieger also has extensive experience in Broward County. In 2002, Mr. Rieger completed a 150 unit affordable family development in the City of Ft. Lauderdale and a 316 unit rehabilitation development in Dania Beach. From 2002 through 2008, Mr. Rieger acquired and entitled over 100 Acres of land in Miramar for residential and commercial development.



## Profile of Principals and Key Personnel



**Matthew Rieger**  
**President and CEO, Housing Trust Group**

Matthew Rieger is President and CEO of Housing Trust Group (HTG), an award-winning, full-service developer of multifamily residential communities whose real estate transactions have exceeded \$2 billion in commercial, land and residential developments across Florida, the Southeastern U.S., and Arizona. Prior to joining Housing Trust Group, Matthew served as an attorney at a large law firm, where he was involved in over \$1 billion worth of transactions including acquisitions, development, re-financings, and joint ventures in the United States and abroad. As President and CEO of HTG since 2011, he has focused on expanding HTG's capacity and development pipeline, bringing greater awareness to the issue of affordable and workforce housing and working alongside industry leaders, public officials and legislators to shape policy that benefits working-class communities and families. In 2017, he was elected to serve on the Board of Directors of the Coalition of Affordable Housing Providers, a strategic alliance of non-profit and for-profit developers and professional service providers dedicated to providing safe and affordable housing to Floridians. A native of Miami and third-generation Floridian, Matthew holds a Juris Doctorate from Nova Southeastern University and a Bachelors of Arts degree in Geography from the University of Florida. He is an active member of the Coalition of Affordable Housing Providers, the Florida Bar Association and American Bar Association, and is involved several charities including Habitat for Humanity, The First Tee, Mourning Family Foundation and Wade's World Foundation.



**Randy Rieger**  
**Chairman and Founder, Housing Trust Group**

Randy Rieger is the Founder and Chairman of Housing Trust Group. Prior to forming Housing Trust Group, for some 25 years, Mr. Rieger served as Vice President, then as Managing General Partner, of Royal Palm Beach Colony, L.P. The company was a large publicly held real estate development company listed on the American Stock Exchange and was actively involved in the development of numerous large-scale communities in Western Palm Beach County, Florida. Under Mr. Rieger's leadership, Royal Palm Beach Colony, L.P. developed the Village of Royal Palm Beach and nearly 10,000 surrounding acres.



**Karen Weller**  
**Chief Financial Officer, Housing Trust Group**

Karen Weller has more than 25 years of experience in accounting, finance, treasury, and operations. Prior to joining Housing Trust Group, she served as VP, Accounting for The Related Group, a large developer of condo, market-rate rental, and affordable housing in South Florida. Karen has experience with both privately held and publicly traded companies in the real estate and hospitality sectors. While at LNR Property, Karen participated in structuring complex commercial mortgage-backed securitizations, subordinated commercial mortgage loans, and public debt offerings. Karen is a Certified Public Accountant, Certified Treasury Professional, and also holds a Chartered Professional Accountant designation from Canada. She graduated with a Bachelor of Commerce from the University of Calgary, and spent some time with Deloitte & Touche, where she was able to take advantage of their international secondment program to work in the Caribbean and Central Europe before making a permanent home in South Florida.



**Max Cruz**  
**Executive Vice President of Development, Housing Trust Group**

Max Cruz oversees the Development department of Housing Trust Group, responsible for overseeing multifamily real estate development of affordable housing and market rate communities. Max Cruz has over 19 years of real estate and development experience. Over the course of his career, he has entitled, developed, and overseen construction of over 3,200 rental homes across Florida and closed on over \$500 million of rental financing. He has also overseen the development of over 2,300 for-sale homes and \$136 Million of for-sale financing. Prior to joining Housing Trust Group, he was a Vice President of Development for the Related Group's luxury market rate division responsible for all aspects of real estate development from entitlement to completion. Before Related, Mr. Cruz was the Vice President of Development and Finance for the Cornerstone Group for over 12 years. At Cornerstone, he was responsible for not only the development of the communities but all aspects of their financing. Mr. Cruz graduated from Florida International University with a Bachelors Degree in Finance.

**Quinn Gormley**  
**Executive Vice President of National Development, Housing Trust Group**

Quinn Gormley is the Executive Vice President of National Development for the Housing Trust Group. He has over 23 years of commercial real estate development experience, principally centered on affordable housing, tax oriented investments and economic development. He has extensive experience in commercial development risk analysis, due diligence and structured financing. He is a strategic thinker who has structured financing for conventional and tax exempt revenue bond transactions. In addition to various forms of debt facilities Quinn has provided transaction advisory on housing credit investments, historic tax credit investments, public housing (Rental Assistance, HOPE VI, RAD), HOME/CDBG/CDBG-DR, and new market tax credit investments. Through his diverse and unique experience within the industry, he has successfully provided multi-level oversight on the development and initial operation on over 6,000 units of multi-family and single family affordable housing.



### **Val DeLeon**

#### **Vice President Development, Texas, Housing Trust Group**

Val DeLeon has over twelve years of affordable housing experience in Texas. Val spent six years at the Texas Department of Housing and Community Affairs (TDHCA) in the Multifamily Finance Department. Most recently, Val worked for a boutique real estate development company in Austin, Texas where he project managed the development of over 700 units of affordable housing throughout Texas.

### **Mario Robaina**

#### **Senior Vice President of Finance, Housing Trust Group**

Mario Robaina has over 20 years of experience in Finance in Real Estate, Investment Banking, and Private Equity. At HTG, Mr. Robaina has been primarily responsible for structuring, modeling, underwriting, negotiating and closing of a variety of multi-family 9% and 4% LIHTC developments. In addition, he has been involved as the Asset Manager of a portion of HTG's Operating Portfolio. Prior to joining HTG in 2015, he closed over \$1 billion in all manner of new construction, redevelopment and refinancing real estate transactions including multi-family for sale, market rate rental, LIHTC rental, commercial, office and industrial developments. Mr. Robaina received his Bachelor of Science in Industrial Engineering from Stanford University and holds an MBA from the University of Miami focusing on Finance and Management.

### **Al Hernandez**

#### **Senior Vice President of Finance, Housing Trust Group**

Al has 30 years of experience in the finance and accounting sectors for private and public companies. Prior to joining Housing Trust Group, he was the Chief Financial Officer of The Easton Group, a commercial real estate broker, property owner, and manager. Previously he was the Chief Accounting Officer for The Related Group, the largest multifamily condominium and apartment builder in the country. He started his accounting career with General Development Corporation as a senior accountant. Al is a Certified Public Accountant and holds a Bachelor of Business Administration Degree in Accounting from Florida International University.

### **Humberto Del Valle "Bert"**

#### **Executive Vice President of Construction, Housing Trust Group**

Bert Del Valle is a General Contractor with over twenty-five years of experience in both residential and commercial/industrial construction. Responsible for over \$200 million dollars in development and construction projects. Proficient in scheduling, coordinating, and team building, through all facets of construction from land acquisition/development to obtaining the Certificate of Occupancy. Bert holds a Bachelor's degree in Finance from Florida International University, as well as a General Contractors License, Master Plumbing License, and Real Estate Broker's License in the State of Florida.



## c. Statement of Confidence





### c. Statement of Confidence

We have included two letters from The Lakeland Housing Authority in Florida and Riviera Beach Housing Authority. With the recent work from home regulations in the State of Florida, there has been a slight delay in obtaining additional correspondence from city officials that have been inundated with COVID-19 related work.

We hope that the attached letters and references will suffice until Florida municipalities have the bandwidth to provide a statement.



**BOARD OF  
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**MAIN OFFICE**

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[www.LakelandHousing.org](http://www.LakelandHousing.org)

July 2, 2019

Terril Bates  
Chief Financial Officer  
The Housing Authority of the City of Daytona Beach  
211 North Ridgewood Avenue, #300  
Daytona Beach, FL 32114

RE: Letter of Reference for Bryan Finnie and Housing Trust Group

Dear Ms. Bates:

Please be advised that Lakeland Housing Authority has worked with Bryan Finnie and Housing Trust Group (HTG) on affordable housing development projects in the state of Florida. Specifically, HTG served as our Developer Partner on the multi-phased redevelopment of one of our public housing communities. So, I can confirm HTG is an experienced and viable affordable housing developer that has worked successfully with public housing authorities, non-profits and private sector partners to create quality affordable housing developments.

If you have any questions regarding this letter of reference, please feel free to contact me.

Sincerely,

Benjamin Stevenson  
Executive Director

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**John W. Hurt**  
*Executive Director*



July 15, 2019

Ms. Terrill Bates  
Chief Financial Officer  
The Housing Authority of the City of Daytona Beach  
211 North Ridgewood Avenue, Suite #300  
Daytona Beach, FL 32114

RE: Housing Trust Group

Dear Ms. Bates:

The Riviera Beach Housing Authority has worked with the Housing Trust Group (HTG) over the past four (4) years to develop Multifamily Affordable Housing here in the State of Florida. Specifically, we have partnered in the development of a 101-Unit Senior Community due to be completed in September 2019 and in process of development of a 79-Unit family development to close in the 1<sup>st</sup> Quarter 2020.

HTG is an experienced and viable Affordable Housing Developer that has successfully developed Affordable Housing with Housing Authorities, Non-Profits and Private-Sector Partners.

Sincerely,

A handwritten signature in blue ink, appearing to read "John W. Hurt", with a long horizontal line extending to the right.

John W. Hurt  
Executive Director

## e. Financial Capacity



### e. Financial Capacity:

Since our inception in 1997, HTG has developed more than 7,000 units of multi-family housing, often working closely with local governments throughout the states of Florida and Arizona. HTG is also beginning to venture into developing affordable housing in the state of Texas. HTG's Principals and staff members maintain extensive experience in developing and operating developments of equivalent scale and structure to the proposed development concept.

HTG has over 22 years of experience in partnering with local municipalities, public housing authorities and nonprofit organizations to provide quality affordable housing and resident services. Our continued success is derived from our ability to develop unique partnerships with both the private and public sectors and duplicating these strategies throughout the States of Florida, Arizona and Texas. The development team's experience, track record, and strong relationships with trusted, long term financial partners continually allow HTG to secure the most competitive terms within debt and equity markets.

HTG is the preeminent affordable housing development company in the State of Florida. HTG provides the best service to our clients and partners. We strive to be dynamic and flexible in order to most effectively deliver the best results. HTG's fully integrated platform includes development, finance, accounting, legal, construction, compliance, construction management, property management and asset management. This allows us to provide a superior level of service to our partners and stakeholders, which is critical to working together to create new communities.

HTG has developed and is currently developing six (6) mixed-financed developments. In addition, HTG's key staff have been directly involved in the development of several other public housing redevelopments. Our team members also have a long and established history with HUD's multitude of housing programs and subsidy. We have successfully completed developments with HUD under the Section 202, Hope VI, Green Retrofit, RAD and FHA-insured mortgage programs [221(d)(4) and 223(f)], as well as operating subsidies such as Annual Contributions Contract and Project-Based Rental Assistance.

Attached you will find a full list of HTG's experience in developing multi-family communities both affordable and market rate and mixed-financed developments. Also attached are financial statements that prove adequate reserves or lines of credit available. HTG is primarily funded by an affiliated company of its principals, HTG Affordable, LLC ("HTGA"), which was formed for the purpose of developing affordable and mixed income housing. A copy of HTG's 2016 and 2017 audited financials and 2018 certified financials are attached. A copy of HTGA's 2016 certified financials as well as 2017 and 2018 audited financials are also attached.

A summary of HTG's mixed-financed and phased developments is as follows:

Twin Lakes Estates- Phase I consists of 100-units built-in one 3-story building. Developed in partnership between HTG and the Lakeland Housing Authority ("LHA"), this 4% LIHTC development will provide housing for low and very low-income seniors. The total project costs of the development are \$17,000,000. Other financing sources include tax-exempt bonds, a SAIL loan from FHFC and an AHP Grant from the



Federal Home Loan Bank. In addition, LHA provided 80 project-based vouchers and 10 ACC units as part of the mixed-finance application. The building will have the following common areas: computer/reading room, community room with a catering area, theater room, and a picnic pavilion with a grill in the courtyard. In all Twin Lakes will consist of 3 phases with approximately 300 units total.

Heron Estates Senior is a senior new construction, mid-rise development and is the first phase of a multi-phase development. The property is situated on approximately 7 acres of land leased by HTG from the Riviera Beach Housing Authority ("RBHA"). The project's financing structure consists of multi-family bonds, 4% tax credits, RHA low-cost financing, a SAIL loan from FHFC, and a Palm Beach County subordinate direct loan. The financing structure was supplemented by 50 Section 8 project-based vouchers, ACC units, and the successful completion of a HUD mixed-finance financing application. The total project cost is \$23,800,000. This project is the epitome of how HTG can work with a housing authority on an implementation strategy that is beneficial to all involved. The City of Riviera Beach receives new housing units on its tax rolls, the housing authority accesses new units, and benefits from a \$1,000,000-dollar capitalized land payment at closing which supports its sustainability efforts without losing control of the property.

Covenant Villas consists of a partnership between HTG and the Palm Beach County Housing Authority, which involves the rehabilitation of a 144-unit development comprised of 18 garden-style residential buildings located in Belle Glade, Palm Beach County. Covenant Villas Apartments involved the acquisition and substantial rehabilitation of a 144-unit garden-style project with a clubhouse, daycare and other amenities. The total development costs are \$23,000,000. HTG was able to couple the 9% tax credits with a loan from Palm Beach County, as well as Section 8 project-based voucher rental assistance from the Palm Beach Housing Authority.

Isles of Pahokee II is a 129-unit apartment community currently being developed in partnership between HTG and the Pahokee Housing Authority. The property is designated public housing and is set aside for heads of households aged 55 and over earning at or below 60 percent and 33 percent of the Palm Beach County area median income (AMI). The Pahokee Housing Authority is providing seller financing and the Annual Contributions Contract. Other funding sources include 9% tax credits; HOME loan funding from Palm Beach County; and a construction loan from Chase Bank. The total development costs are \$18,400,000.

Courtside Apartments was developed with funding from the SEOPW CRA. Courtside Apartments is an 84-unit new construction, mid-rise development (6-story residential building) for families that was awarded the 2017 Best Family Affordable Housing Development in the nation by Affordable Housing Finance Magazine. The development is in Miami's historic Overtown district in the SEOPW CRA, on the grounds of the Miami-Dade County-owned Culmer Neighborhood Center. It is the first phase of a three-phase development of affordable/workforce rental housing to be developed at the Culmer Center.

Green Cay Village is another mixed-use multiphase development built by HTG. Ideally located in Boynton Beach, Florida this residential community consists of 260 units and includes 100 townhomes and 160, two and three-bedroom condominiums. The condominiums are situated in three-story buildings with

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HOUSING TRUST GROUP

3225 Aviation Avenue, 6<sup>th</sup> Floor • Coconut Grove, FL 33133 • 305-860-8188  
[www.htgf.com](http://www.htgf.com)



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elevators and the townhomes consist of 1 and 2 stories with garages. The interior finishes have stainless steel appliances, granite, and tile in each unit. Exterior amenities include a tot lot, splash area, oversized resort-style pool, fitness center, playground, and playroom along with walking trails throughout the community.

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c. MBE/WBE  
N/A





### 3. Property Management Team



# a. Curriculum Vitae

## Property Management Team

# Multi-family property revitalization requires the calibration of three primary levers

## Levers in the Property Turnaround and Value Enhancement

1

### Policies and Procedures

- ▶ Implement strict tenant screen screening policies to improve tenant profile
- ▶ Establish onsite preventative maintenance and review schedules
- ▶ Increase property manager awareness and accountability

2

### Revenue Enhancement

- ▶ Know, understand and target your market
- ▶ Understand state and federal regulations
- ▶ Invest to improve curb appeal and support rental increases

3

### Expense Reduction

- ▶ Reduce payroll and make employees accountable
- ▶ Implement real time back office systems
- ▶ Leverage corporate buying power and expertise

In addition to property management, Sandalwood offers a number of other services to meet the needs of its clients

Re-capitalization of assets

Bankruptcy navigation and turnaround

Re-financing assistance

Work-out service

Tax re-syndication

Turnaround receivership

New and existing construction management

Inspection preparation for REAC and housing authorities

Property development and redevelopment

Replacement General Partner

Capital markets/debt placement

Acquisition assistance and due diligence

Sale contract negotiation

Property disposition



brokers, lenders, title agents, and property owners to find underperforming multi-family, retail and office properties that can be turned around in the experienced hands of Sandalwood professionals. Bryan is responsible for analyzing all aspects of property acquisition and new third-party management opportunities. During property takeovers, he manages the due diligence process - liaising with appraisers, vendors and managing all inspections and physical property tours. Since 2010, he has facilitated the purchase and management takeover of seven properties valued at over \$35 million and with cash-on-cash returns exceeding 20 percent. Before joining Sandalwood in 2007, much of Bryan's fortitude and strength of character was developed as an Airborne Ranger in the U.S. Special Operation from 2002 to 2005. During that time, he was deployed 4 times to Iraq and Afghanistan. He is a graduate of Airborne and Ranger School where he received an award for leadership. He holds a Bachelor of Business Administration from Austin's St. Edward's University, where he graduated Summa Cum Laude.

Sterling Shorb – Director of Resident Operations

\*Please find attached list of properties currently managed by Sandalwood in the state of Texas.

Property Name	Address	State	City	Zip	Units	LIHTC	Management	Occupied
Courtyards of Kirnwood	2600 Bolton Boone Dr.	TX	DeSoto	75115	198	✓	2014	95%
Primrose at Johnson Creek	815 Senior Circle Dr.	TX	Arlington	76010	140	✓	2014	95%
Douglas Landing	2347 Douglas St #5	TX	Austin	78741	96	✓	2013	90%
Birchwood Apartments	4829 Coles Manor Pl	TX	Dallas	75204	276	✓	2014	98%
Country Park Apartments	1606 East McKinney St	TX	Denton	76209	120	✓	2011	98%
Casa Quintana	905 N Avenue J	TX	Freeport	77541	100	✓	2014	97%
Plainview Vistas	2224, 1401 W 33rd St	TX	Plainveiw	79072	76	✓	2018	96%
Townhomes at Doublecreek	2500 Louis Henna Boulevard	TX	Round Rock	78664	160	✓	2012	91%
Monticello Manor	5518 Culebra Road	TX	San Antonio	78228	154	✓	2012	98%
Tignoi Villas	1527 W Sunshine Dr.	TX	San Antonio	78228	140	✓	2018	96%
Country Oaks Apartments	1951 Aquarena Springs Drive	TX	San Marcos	78666	160	✓	2011	99%
				<b>Total</b>	<b>1620</b>			



## **b. Compliance Reports**

**NHCD**

**N/A**



## c. Compliance Reports Outside the City of Austin



# Scoring

Texas Department of Housing And Community Affairs  
**REAC Scoring for Birchwood Apartments**  
 4829 Coles Manor Dallas, TX 75204

Printed on: January 03, 2018

Page 1

<b>Scoring Summary</b>		
Areas	Possible Points	Points Scored
Site	<b>16.6</b>	<b>16.6</b>
Building Exteriors	<b>17.7</b>	<b>17.7</b>
Building Systems	<b>22.8</b>	<b>22.8</b>
Building Common Areas	<b>.1</b>	<b>.1</b>
Units	<b>42.8</b>	<b>38.3</b>
<b>Inspection Total</b>	<b>100</b>	<b>96</b>

**Halls/Corridors/Stairs**

Ded. Pts	Building/Unit Name	Inspectable Item	Deficiency	Item Weight	Criticality Level	Severity Level
0.006	Bldg 29	Stairs	Broken/Missing Hand Railing	10%	2.25	1

**Units**

Ded. Pts	Building/Unit Name	Inspectable Item	Deficiency	Item Weight	Criticality Level	Severity Level
0.097	Bldg 1 / 1201	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25
0.014	Bldg 1 / 1201	Ceiling	Mold/Mildew/Water Stains/Water Damage	4%	1.25	0.25
0.006	Bldg 1 / 1201	Walls	Peeling/Needs Paint	4%	0.5	0.25
0.097	Bldg 10 / 10203	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25
0.097	Bldg 11 / 11204	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25
0.006	Bldg 12 / 12101	Ceiling	Peeling/Needs Paint	4%	0.5	0.25
0.097	Bldg 13 / 13204	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25
0.006	Bldg 13 / 13204	Walls	Peeling/Needs Paint	4%	0.5	0.25
0.097	Bldg 15 / 15204	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25
0.006	Bldg 15 / 15204	Walls	Peeling/Needs Paint	4%	0.5	0.25
0.097	Bldg 16 / 16302	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25
0.006	Bldg 16 / 16302	Walls	Peeling/Needs Paint	4%	0.5	0.25
0.097	Bldg 17 / 17201	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25
0.097	Bldg 18 / 18205	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25
0.026	Bldg 18 / 18205	Walls	Damaged	4%	2.25	0.25
<b>0.859</b>	<b>Bldg 19 / 19202</b>	<b>Health &amp; Safety</b>	<b>Emergency Fire Exits - Emergency/Fire Exits Blocked/Unusable</b>	<b>15</b>	<b>5</b>	<b>1</b>
0.859	Bldg 19 / 19202	Bathroom	Plumbing - Clogged Drains	15%	5	1
0.097	Bldg 20 / 20303	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25
0.097	Bldg 24 / 24201	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25
<b>0.859</b>	<b>Bldg 26 / 26103</b>	<b>Health &amp; Safety</b>	<b>Emergency Fire Exits - Emergency/Fire Exits Blocked/Unusable</b>	<b>15</b>	<b>5</b>	<b>1</b>
0.116	Bldg 26 / 26103	Doors	Damaged Surface (Holes/Paint/Rusting)	4.5%	2.25	1
0.029	Bldg 26 / 26103	Windows	Inoperable/Not Lockable	4.5%	2.25	0.25
0.129	Bldg 27 / 27201	Bathroom	Plumbing - Leaking Faucet/Pipes	15%	3	0.25
<b>0.387</b>	<b>Bldg 6 / 6201</b>	<b>Health &amp; Safety</b>	<b>Infestation - Insects</b>	<b>15</b>	<b>2.25</b>	<b>1</b>
0.097	Bldg 6 / 6201	Outlets/Switches	Missing/Broken Cover Plates	4%	2.25	0.25
0.006	Bldg 6 / 6201	Walls	Damaged/Deteriorated Trim	4%	0.5	0.25
0.097	Bldg 7 / 7203	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25

# **List of Deficiencies**

**Texas Department of Housing And Community Affairs**  
**List of Deficiencies Found**

Printed On: January 03, 2018

Inspectable Area Inspectable Item	Deficiency	1	2	3	Comments
Birchwood Apartments 4829 Coles Manor Dallas, TX 75204					
Building: Bldg 1					
Unit: 1201					
Ceiling	Mold/Mildew/Water Stains/Water Damage	L1			Bath 1
Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1			Gasket
Walls	Peeling/Needs Paint	L1			Bdr 3
Building: Bldg 10					
Unit: 10203					
Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1			Gasket
Building: Bldg 11					
Unit: 11204					
Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1			Gasket
Building: Bldg 12					
Unit: 12101					
Ceiling	Peeling/Needs Paint	L1			Bath
Building: Bldg 13					
Unit: 13204					
Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1			Bottom
Walls	Peeling/Needs Paint	L1			Hall
Building: Bldg 15					
Unit: 15204					
Health & Safety	Hazards - Tripping			L3	Cable cord
Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1			Bottom
Walls	Peeling/Needs Paint	L1			
Building: Bldg 16					
Unit: 16302					
Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1			Bottom
Smoke Detector	Missing/Inoperable			L3	Missing (RDI)
Walls	Peeling/Needs Paint	L1			Bdr and liv
Building: Bldg 17					
Unit: 17201					
Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1			Bottom
Building: Bldg 18					
Unit: 18205					
Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1			Bottom
Walls	Damaged	L1			Hall
Building: Bldg 19					
Unit: 19202					
Bathroom	Plumbing - Clogged Drains			L3	Bath 1
Health & Safety	Emergency Fire Exits - Emergency/Fire Exits Blocked/Unusable			L3	Bdr 2 (RDI)
Building: Bldg 2					
Unit: 2302					
Smoke Detector	Missing/Inoperable			L3	Hall (RDI)
Building: Bldg 20					
Unit: 20303					
Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1			Gasket
Building: Bldg 22					
Unit: 22203					
Smoke Detector	Missing/Inoperable			L3	Hall (RDI)
Building: Bldg 23					
Unit: 23202					
Smoke Detector	Missing/Inoperable			L3	Bdr 1. 2 and 3 (RDI)
Building: Bldg 24					
Unit:					
Health & Safety					
Health & Safety	Hazards - Tripping			L3	Stairs
Unit: 24201					
Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1			Gasket
Building: Bldg 26					
Unit: 26103					

**Texas Department of Housing And Community Affairs**  
**List of Deficiencies Found**

Printed On: January 03, 2018

Inspectable Area Inspectable Item	Deficiency	1	2	3	Comments
Doors	Damaged Surface (Holes/Paint/Rusting)			L3	Bath 2
Health & Safety	Emergency Fire Exits - Emergency/Fire Exits Blocked/Unusable			L3	Bdr 1, 2 window (RDI)
Smoke Detector	Missing/Inoperable			L3	Bdr 3 (RDI)
Windows	Inoperable/Not Lockable	L1			Bdr 1 right window (RDI)
Building: Bldg 27 Unit: 27201					
Bathroom	Plumbing - Leaking Faucet/Pipes	L1			Bath 1
Smoke Detector	Missing/Inoperable			L3	Hall (RDI)
Building: Bldg 29 Unit:					
Halls/Corridors/Stairs					
Stairs	Broken/Missing Hand Railing			L3	Missing lag bolt (RDI)
Building: Bldg 6 Unit: 6201					
Health & Safety	Infestation - Insects			L3	Roaches kitchen
Outlets/Switches	Missing/Broken Cover Plates	L1			Bath 1
Walls	Damaged/Deteriorated Trim	L1			Trim
Building: Bldg 7 Unit: 7203					
Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1			Gasket

# Photos



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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April 23, 2018

Wayne Tai  
Texas Birchwood Apartments, L.P.  
Centennial, CO  
[Wayne.tai@bethesda Holdings.com](mailto:Wayne.tai@bethesda Holdings.com)

(512) 475-2299  
[enrique.trejo@tdhca.state.tx.us](mailto:enrique.trejo@tdhca.state.tx.us)

RE: **Birchwood Apartments**

CMTS: 1477

Dear Mr. Tai:

The Texas Department of Housing and Community Affairs has received and reviewed documentation of corrective action submitted in response to the on-site physical inspection of Birchwood Apartments conducted on December 20, 2017.

The development has made all repairs and corrections required. Please note that although the deficiencies listed were mitigated, only a sample of units was inspected for the purposes of the report. It is the owner's responsibility to maintain compliance property wide. The Department may select a sample of units to re-inspect in order to verify that corrective action has been completed.

This letter addresses only deficiencies noted during the physical inspection. Other findings may have resulted from other reviews. Please contact the appropriate lead monitor for additional information concerning other reviews.

The development's Compliance period has ended and notice of violations is no longer supplied to the IRS. The extended use period for the development remains in effect for an additional 15 years after expiration of the compliance period. The Department will continue to monitor for compliance with all restrictions in the LURA as required in §10TAC10.623.

If you have any questions, please feel free to contact me at (512) 475-2299, toll free in Texas at (800) 643-8204, or email [enrique.trejo@tdhca.state.tx.us](mailto:enrique.trejo@tdhca.state.tx.us).

Sincerely,

*Enrique H. Trejo*

Enrique H. Trejo  
Inspection Specialist

[EHT]

cc: Amber Gooden, Sandalwood Management USA LP  
[amber.gooden@sandalwoodmgt.com](mailto:amber.gooden@sandalwoodmgt.com)



Site	Area	Bldg Name	Bldg Unit Name	Inspectable Item	Bldg Common Item	Deficiency	Level	Note	Completed Date	Completed By
Birchwood Apartments	Unit	Bldg 1	1201	Ceiling		Mold/Mildew/Water Stains/Water Damage	L1	Bath 1	01/19/18	Javier
Birchwood Apartments	Unit	Bldg 1	1201	Kitchen		Refrigerator-Missing/Damaged/Inoperable	L1	Gasket	02/26/18	Javier
Birchwood Apartments	Unit	Bldg 1	1201	Walls		Peeling/Needs Paint	L1	Bdr 3	02/16/18	Javier
Birchwood Apartments	Unit	Bldg 10	10203	Kitchen		Refrigerator-Missing/Damaged/Inoperable	L1	Gasket	02/22/18	Javier
Birchwood Apartments	Unit	Bldg 11	11204	Kitchen		Refrigerator-Missing/Damaged/Inoperable	L1	Gasket	02/19/18	Javier
Birchwood Apartments	Unit	Bldg 12	12101	Ceiling		Peeling/Needs Paint	L1	Bath	02/21/1/	Javier
Birchwood Apartments	Unit	Bldg 13	13204	Kitchen		Refrigerator-Missing/Damaged/Inoperable	L1	Bottom	02/22/18	Javier
Birchwood Apartments	Unit	Bldg 13	13204	Walls		Peeling/Needs Paint	L1	Hall	02/20/18	Javier
Birchwood Apartments	Unit	Bldg 15	15204	Health & Safety		Hazards - Tripping	L3	Cable cord	02/14/18	Javier
Birchwood Apartments	Unit	Bldg 15	15204	Kitchen		Refrigerator-Missing/Damaged/Inoperable	L1	Bottom	02/28/18	Javier
Birchwood Apartments	Unit	Bldg 15	15204	Walls		Peeling/Needs Paint	L1		03/07/18	Javier
Birchwood Apartments	Unit	Bldg 16	16302	Kitchen		Refrigerator-Missing/Damaged/Inoperable	L1	Bottom	02/14/18	Javier
Birchwood Apartments	Unit	Bldg 16	16302	Smoke Detector		Missing/Inoperable	L3	Missing (RDI)	12/20/17	Staff
Birchwood Apartments	Unit	Bldg 16	16302	Walls		Peeling/Needs Paint	L1	Bdr and liv	01/31/18	Edmundo
Birchwood Apartments	Unit	Bldg 17	17201	Kitchen		Refrigerator-Missing/Damaged/Inoperable	L1	Bottom	01/29/18	Edmundo
Birchwood Apartments	Unit	Bldg 18	18205	Kitchen		Refrigerator-Missing/Damaged/Inoperable	L1	Bottom	02/23/18	Javier
Birchwood Apartments	Unit	Bldg 18	18205	Walls		Damaged	L1	Hall	02/16/18	Javier
Birchwood Apartments	Unit	Bldg 19	19202	Bathroom		Plumbing - Clogged Drains	L3	Bath 1	01/16/18	Javier
Birchwood Apartments	Unit	Bldg 19	19202	Health & Safety		Emergency Fire Exits - Emergency/Fire Exits Blocked/Unusable	L3	Bdr 2 (RDI)	12/20/17	Staff
Birchwood Apartments	Unit	Bldg 2	2302	Smoke Detector		Missing/Inoperable	L3	Hall (RDI)	12/20/17	Staff
Birchwood Apartments	Unit	Bldg 20	20303	Kitchen		Refrigerator-Missing/Damaged/Inoperable	L1	Gasket	02/23/18	Javier
Birchwood Apartments	Unit	Bldg 22	22203	Smoke Detector		Missing/Inoperable	L3	Hall (RDI)	12/20/17	Staff
Birchwood Apartments	Unit	Bldg 23	23202	Smoke Detector		Missing/Inoperable	L3	Bdr 1. 2 and 3 (RDI)	12/20/17	Staff
Birchwood Apartments	Common Areas	Bldg 24		Health & Safety	Health & Safety	Hazards - Tripping	L3	Stairs	01/23/18	Five Star
Birchwood Apartments	Unit	Bldg 24	24201	Kitchen		Refrigerator-Missing/Damaged/Inoperable	L1	Gasket	03/08/18	Edmundo
Birchwood Apartments	Unit	Bldg 26	26103	Doors		Damaged Surface (Holes/Paint/Rusting)	L3	Bath 2	02/16/18	Javier



Birchwood Apartments	Unit	Bldg 26	26103	Health & Safety		Emergency Fire Exits - Emergency/Fire Exits Blocked/Unusable	L3	Bdr 1, 2 window (RDI)	12/20/17	Staff
Birchwood Apartments	Unit	Bldg 26	26103	Smoke Detector		Missing/Inoperable	L3	Bdr 3 (RDI)	12/20/17	Staff
Birchwood Apartments	Unit	Bldg 26	26103	Windows		Inoperable/Not Lockable	L1	Bdr 1 right window (RDI)	12/20/17	Staff
Birchwood Apartments	Unit	Bldg 27	27201	Bathroom		Plumbing - Leaking Faucet/Pipes	L1	Bath 1	02/08/18	Javier
Birchwood Apartments	Unit	Bldg 27	27201	Smoke Detector		Missing/Inoperable	L3	Hall (RDI)	12/20/17	Staff
Birchwood Apartments	Common Areas	Bldg 29		Halls/Corridors/Stairs	Stairs	Broken/Missing Hand Railing	L3	Missing lag bolt (RDI)	12/20/17	Staff
Birchwood Apartments	Unit	Bldg 6	6201	Health & Safety		Infestation - Insects	L3	Roaches kitchen	01/02/18	Pest Control
Birchwood Apartments	Unit	Bldg 6	6201	Outlets/Switches		Missing/Broken Cover Plates	L1	Bath 1	02/14/18	Javier
Birchwood Apartments	Unit	Bldg 6	6201	Walls		Damaged/Deteriorated Trim	L1	Trim	02/14/18	Javier
Birchwood Apartments	Unit	Bldg 7	7203	Kitchen		Refrigerator-Missing/Damaged/Inoperable	L1	Gasket	02/15/18	Javier



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August 20, 2018

*Writer's direct phone # (512) 475-3821*  
*Email: Cara.Pollet@tdhca.state.tx.us*

Joel Ospovat  
Country Park Apartments, LP  
Austin, TX  
joel@sandalwoodmgt.com

RE: Country Park Apartments

CMTS ID: 1264

Dear Mr. Ospovat:

The Texas Department of Housing and Community Affairs ("Department") has completed a monitoring review of Country Park Apartments. This review was performed to determine if the development is in compliance with the requirements of the Low-Income Housing Tax Credit ("LIHTC") program.

**Deadline:** This notice begins the corrective action period. You must supply all requested documentation no later than **November 18, 2018**, the last day of the corrective action period. The attached Monitoring and Findings Reports have been prepared to explain the Department's findings of noncompliance and to detail required corrective action. A response to this letter and these reports must be provided to and received by the Department prior to **November 18, 2018**.

**How you must respond:** If you have already submitted documentation for review, that documentation has not been reviewed or assessed prior to this letter and report. Please review this report against any and all submissions by you to ensure that all issues in this letter were appropriately and fully addressed and that the documentation you have submitted substantiates this, then either upload confirmation that you are satisfied with your response or submit a revised and updated response and supporting materials prior to **November 18, 2018**.

If you do not understand how to complete the corrective action, please contact us as soon as possible so that you can correct matters before the deadline; staff can refer you to resources for additional training and technical assistance. If it is not possible to provide the requested documentation by the corrective action deadline, correct as much as you can and submit a corrective action plan detailing how and when the remaining issues will be resolved.

Upload your corrective action to the Electronic Document Attachment system using the development's Compliance Monitoring and Tracking System ("CMTS") account. For instructions on how to use the attachment system, please see *Attaching Documents to CMTS* found on the Department's website. To access, on the home page, select "Support and Services" tab; then select "Compliance". From the



submenu, select "Online Reporting". Unless specifically directed by the Compliance Monitor indicated below, TDHCA will not accept submissions via email, fax, or mail.

**How TDHCA will review:** It is critical that you understand that this process requires each party, you and the Department, to perform its role timely and independently. The Department provides its monitoring results, you respond prior to the end of the corrective action date and include in your response documentation to support the appropriateness and completeness of the corrective actions taken, and then, *after the corrective action date*, the Department's Compliance staff reviews your response and supportive materials. We do not provide interim reviews or feedback because it is an important part of your responsibility to ensure that the response and supporting materials are timely and sufficient.

Your submission will be reviewed one time, after the end of the corrective action period, at which time the Department will determine whether or not the submitted materials sufficiently document that you have corrected the cited instances of noncompliance. Noncompliance not corrected and documented as such during the corrective action period will be taken into consideration prior to any future funding or awards from the Department. To be considered corrected within the corrective action period, documentation evidencing the correction must be received by **November 18, 2018**, the end of the corrective action period.

**If your response is incomplete: Failure to submit complete and satisfactory corrections on or before the corrective action deadline will result in a referral to the Department's Enforcement Committee. Please see 10TAC §2.302 for a listing of specific penalty amounts.**

Please extend our thanks to your onsite staff for their hospitality and cooperation extended during our monitoring visit. If you have any questions about this monitoring report, please contact Cara Pollei toll free in Texas at (800) 643-8204, directly at (512)475-3821, or email: [Cara.Pollei@tdhca.state.tx.us](mailto:Cara.Pollei@tdhca.state.tx.us).

Sincerely,



Digitally signed  
by Cara Pollei  
Date:  
2018.08.20  
15:06:08 -05'00'

Cara Pollei  
Compliance Monitor

**Monitoring Report**  
Country Park Apartments  
LIHTC File: 94138  
CMTS ID: 1264

The Texas Department of Housing and Community Affairs completed an on-site monitoring review of Country Park Apartments on August 15, 2018. Cara Pollei and Lucy Weber represented the Department. Amber Green represented the development.

**The review resulted in two findings of noncompliance:**

1. Noncompliance with tenant selection requirements described in §10.610 of this subchapter: affecting the Tenant Selection Plan and units 2107 and 8115
2. Noncompliance with lease requirements described in §10.613 of this subchapter: affecting unit 2107

**During the exit interview, the following Technical Assistance was provided:**

- Per 10TAC §10.617(f)(4), Development owners must all applicants to submit applications via mail or at the Development or leasing office; if the Development is electronically equipped, the Development may also allow applications to be submitted via email, website form (with prior Department approval), or fax. The Affirmative Marketing Plan and Tenant Selection Criteria **must** be updated to include these options for application. Applicants must be properly screened to determine household eligibility regarding income, assets and student status. A unit is considered out of compliance if the owner fails to screen and/or verify these items. To ensure eligibility, all questions on the application must be properly completed, leaving no blanks, and must be signed and dated by all adult applicants. The Development may use the online application previously approved by the Department; however, the applications must be signed by the applicants and a supplemental application must be completed in order to properly screen for income and assets.
- During the onsite monitoring review, it was noted that white-out has been used while completing documentation in an effort to correct information. If an error is made by management, or an applicant or tenant makes an error when completing documentation, white-out must not be used. Instead, the erroneous item should be crossed out and initialed.
- The Department observed some households that had assets listed on their check stubs; however, they did not disclose them as an asset, nor were the assets verified. The Department suggests putting a policy in place to ensure that all assets accessible by the applicant or resident are being disclosed at the time of move-in.

***Files reviewed:***

2105	2107	4212	4115	6101
6103	7109	8115	9204	10204

***Files spot checked:***

3206	7210	8101
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***Additional tips and links for future reference:***

- *Join Our Email List: The Department recommends signing up for the Email list to receive updates regarding important compliance rule and form changes. Sign up at the “Join our Email List” link in the left column of the TDHCA homepage at <http://www.tdhca.state.tx.us/>.*
- *Compliance Monitoring Rules: These rules change periodically and you are responsible for staying apprised of any and all updates. The rules are published on the Secretary of State website at: [http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=5&ti=10&pt=1&ch=10&sch=F&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=10&pt=1&ch=10&sch=F&rl=Y).*
- *Compliance Forms are available at: <http://www.tdhca.state.tx.us/pmcomp/forms.htm>*
- *Income and Rent Limits are published at least annually at: <http://www.tdhca.state.tx.us/pmcomp/irl/index.htm>*
- *Frequently asked questions and answers are available at: <http://www.tdhca.state.tx.us/pmcomp/compFaqs.htm>*
- *Ownership transfer: If you are contemplating a sale, transfer, or exchange of the Development or the structure of the owning entity, you are required to receive pre-approval from TDHCA. Procedures are outlined in the Ownership Transfer section of the Post Award Activities Manual at: <http://www.tdhca.state.tx.us/asset-management/pca-manual.htm>.*

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
COMPLIANCE REVIEW  
DETAIL FINDINGS AND CORRECTIVE ACTION  
By program

Property ID # 1264  
Property Country Park Apartments  
Address 1606 E Mckinney St, Denton, TX-76209

Last Desk Review Date:  
Last Onsite Review Date: 08/15/18  
Program(s): LIHTC File # 94138  
Occupancy as of 07/20/18

PROGRAM: ALL FILE#

PROGRAM: LIHTC FILE# 94138

PROPERTY FINDINGS

**Finding** Noncompliance with tenant selection requirements described in §10.610 of this subchapter  
**Noncompliance Date** 06/01/2018 **Current Status** Uncorrected - Not Reportable to IRS **Correction Date**  
**Reason** The submitted Written Policies and Procedures (as required per 10TAC §10.610) for the Development do not appear to meet the requirements of the rule. Please see attached a copy of the rule that highlights the areas in question.  
**Corrective Action** Submit revised written policies and procedures that comply with this subchapter. For additional resource, watch the "2015 Tenant Selection Criteria Webinar Video" found here: <http://www.tdhca.state.tx.us/pmcomp/presentations.htm>.  
**Potential Administrative Penalty**

UNIT FINDINGS

**Unit # 2107** **Bldg. # 2** **BIN # TX9401276**  
**Finding** Noncompliance with lease requirements described in §10.613 of this subchapter  
**Noncompliance Date** 08/13/2018 **Current Status** Uncorrected - Not Reportable to IRS **Correction Date**  
**Reason** The following provisions are required to be included in the lease or in a lease addendum: 1) that evictions or terminations of tenancy for other than good cause are prohibited [10.613(a)]; and 2) Owners are prohibited from locking out or threatening to lock out any Development resident, except by judicial process, unless the exclusion is necessary for the purpose of performing repairs or construction work, or in cases of emergency. Owners are further prohibited from seizing or threatening to seize the personal property of a resident except by judicial process unless the resident has abandoned the premises [10.613(f)]. These provisions were not included in the lease or found on a lease addendum in the resident file.  
**Corrective Action** Have the household execute the appropriate lease addendum and submit the executed addendum to the Department for review.  
**Potential Administrative Penalty**

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
COMPLIANCE REVIEW  
DETAIL FINDINGS AND CORRECTIVE ACTION  
By program

PROGRAM: LIHTC FILE# 94138

Continued

**UNIT FINDINGS**

**Unit #** 2107      **Bldg. #** 2      **BIN #** TX9401276  
**Finding**      Noncompliance with tenant selection requirements described in §10.610 of this subchapter  
**Noncompliance Date**      08/13/2018      **Current Status** Corrected - Not Reportable      **Correction Date**      08/17/2018  
to IRS  
**Reason**      Effective April 24, 2016, the Tenant Selection Criteria under which an applicant was screened must be included in the household's file. The Tenant Selection Criteria was not found in the resident file.  
**Corrective Action**      A certification from the owner citing compliance with §10.610 was received, no further action required.  
**Potential Administrative Penalty**

**Unit #** 8115      **Bldg. #** 8      **BIN #** TX9401282  
**Finding**      Noncompliance with tenant selection requirements described in §10.610 of this subchapter  
**Noncompliance Date**      07/07/2016      **Current Status** Corrected - Not Reportable      **Correction Date**      08/17/2018  
to IRS  
**Reason**      Effective April 24, 2016, the Tenant Selection Criteria under which an applicant was screened must be included in the household's file. The Tenant Selection Criteria was not found in the resident file.  
**Corrective Action**      A certification from the owner citing compliance with §10.610 was received, no further action required.  
**Potential Administrative Penalty**

<u>TITLE 10</u>	COMMUNITY DEVELOPMENT
<u>PART 1</u>	TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
<u>CHAPTER 10</u>	UNIFORM MULTIFAMILY RULES
<u>SUBCHAPTER F</u>	COMPLIANCE MONITORING
<u>§10.610</u>	WRITTEN POLICIES AND PROCEDURES

### **§10.610. Written Policies and Procedures**

- (a) The purpose of this section is to outline policies and/or procedures that are required to have written documentation.
- (1) Owners must inform applicants/tenants in writing, at the time of application or other action described in this section, that such policies/procedures are available, and that the Owner will provide copies upon request to applicants/tenants or their representatives.
  - (2) The Owner must have all policies and related documentation required by this section available in the leasing office or wherever applications are taken.
  - (3) All policies must have an effective date. Any changes require a new effective date.
  - (4) In general, policies cannot be applied retroactively. Tenants who already reside in the development or applicants on the wait list at the time new or revised tenant selection criteria are applied and who are otherwise in good standing under the lease or wait list, must not receive notices of termination or non-renewal based solely on their failure to meet the new or revised tenant selection criteria or be passed over on the wait list. However, criteria related to program eligibility may be applied retroactively when a market development receives a new award of tax credits, federal or state funds and a household is not eligible under the new program requirements, or when prior criteria violate federal or state law.
- (b) **Tenant Selection Criteria. Owners must maintain written Tenant Selection Criteria. The criteria under which an applicant was screened must be included in the household's file.**
- (1) The criteria must include:
    - (A) Requirements that determine an applicant's basic eligibility for the property, including any preferences, restrictions, and any other tenancy requirements. The tenant selection criteria must specifically list:
      - (i) The income and rent limits;
      - (ii) When applicable, restrictions on student occupancy and any exceptions to those restrictions; and,
      - (iii) Fees and/or deposits required as part of the application process.
    - (B) **Applicant screening criteria, including what is screened and what scores or findings would result in ineligibility.**
      - (i) **The screening criteria must avoid the use of vague terms such as "elderly," "bad credit," "negative rental history," "poor housekeeping," or "criminal history" unless terms are clearly defined within the criteria made available to applicants.**



- (ii) Applicants must be provided the names of any third party screening companies upon request.
  - (C) Occupancy Standards. If fewer than 2 persons (over the age of 6) per bedroom for each rental unit are required for reasons other than those directed by local building code or safety regulations, a written justification must be provided.
  - (D) The following statements:
    - (i) The Development will comply with state and federal fair housing and antidiscrimination laws; including, but not limited to, consideration of reasonable accommodations requested to complete the application process.
    - (ii) Screening criteria will be applied in a manner consistent with all applicable laws, including the Texas and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines, and the Department's rules.
    - (iii) Specific animal, breed, number, weight restrictions, pet rules, and pet deposits will not apply to households having a qualified service/assistance animal(s).
  - (E) Notice to applicants and current residents about Violence Against Women Reauthorization Act of 2013 ("VAWA") protections.
  - (F) Specific age requirements if the Development is operating as Housing for Older Persons under the Housing for Older Persons Act of 1995 as amended (HOPA), or as required by federal funds to have an Elderly Preference, and in accordance with a LURA.
- (2) The criteria must not:
- (A) Include preferences for admission, unless such preference is:
    - (i) Allowed for under program rules; or,
    - (ii) The property receives Federal assistance and has received written approval from HUD, USDA, or VA for such preference.
  - (B) Exclude an individual or family from admission to the Development solely because the household participates in the HOME Tenant Based Rental Assistance Program, the housing choice voucher program under Section 8, United States Housing Act of 1937 (42 U.S.C. §1-437), or other federal, state, or local government rental assistance program. If an Owner adopts a minimum income standard for households participating in a voucher program, it is limited to the greater of a monthly income of 2.5 times the household's share of the total monthly rent amount or \$2,500 annually; or,
  - (C) In accordance with VAWA, deny admission on the basis that the applicant has been a victim of domestic violence, dating violence, sexual assault, or stalking.
- (3) If the Development is funded with HOME, Multifamily Direct Loan funds used as HOME match, NHTF, or NSP funds, in accordance with 24 CFR §93.356 and 24 CFR §92.359, the criteria may have a preference for persons who have experienced domestic violence, dating violence, sexual assault, or stalking.
- (c) Reasonable Accommodations Policy. Owners must maintain a written Reasonable Accommodations policy. The policy must be maintained at the Development. Owners are responsible for ensuring that

their employees and contracted third party management companies are aware of and comply with the reasonable accommodation policy.

(1) The policy must provide:

(A) Information on how an applicant or current resident with a disability may request a reasonable accommodation; and,

(B) A timeframe (not to exceed 14 calendar days) in which the Owner will respond to a request.

(2) The policy must not:

(A) Require a household to make a reasonable accommodation request in writing;

(B) Require a household to provide specific medical or disability information other than the disability verification that may be requested to verify eligibility for reasonable accommodation or special needs set aside program;

(C) Exclude a household with person(s) with disabilities from admission to the Development because an accessible unit is not currently available; or,

(D) Require a household to rent a unit that has already been made accessible.

(d) Wait List Policy. Owners must maintain a written wait list policy, regardless of current unit availability. The policy must be maintained at the Development.

(1) The policy must include procedures the Development uses in:

(A) Opening, closing, and selecting applicants from the wait list;

(B) How preferences are applied; and,

(C) Procedures for prioritizing applicants needing accessible units in accordance with 24 CFR §8.27 and Chapter 1, Subchapter B of this title.

(2) Developments with additional rent and occupancy restrictions must maintain a waiting list for their lower rent restricted units. Unless otherwise approved at application, underwriting and cost certification, all unit sizes must be available at the lower rent limits. The wait list policy for Developments with lower rent restricted units must address how the waiting list for their lower rent restricted units will be managed. The policy must not give a preference to prospective applicants over existing households. However, a Development may, but is not required to, prioritize existing households over prospective applicants.

(e) Denied Application Policies. Owners must maintain a written policy regarding procedures for denying applications.

(1) The policy must address the manner by which rejections of applications will be handled, including timeframes and appeal procedures, if any.

(2) Within seven (7) days after the determination is made to deny an application, the owner must provide any rejected or ineligible applicant that completed the application process a written notification of the grounds for rejection. The written notification must include:

(A) The specific reason for the denial and reference the specific leasing criteria upon which the denial is based;

- (B) Contact information for any third parties that provided the information on which the rejection was based and information on the appeals process, if one is used by the Development. A grievance procedure is required for HOME Developments that are owned by Community Housing Development Organizations, and Developments that lease units under the Department's Section 811-PRA program; and,
  - (C) The TDHCA form based on HUD form 5380 "Notice of Occupancy Rights under the Violence Against Women Act" and the HUD form 5382 "Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation."
- (3) The Development must keep a log of all denied applicants that completed the application process to include:
- (A) Basic household demographic and rental assistance information, if requested during any part of the application process;
  - (B) The specific reason for which an applicant was denied, the date the decision was made; and,
  - (C) The date the denial notice was mailed or hand-delivered to the applicant.
- (4) A file of all rejected applications must be maintained the length of time specified in the applicable program's recordkeeping requirements and include:
- (A) A copy of the written notice of denial; and,
  - (B) The Tenant Selection Criteria policy under which an applicant was screened.
- (f) Non-renewal and/or Termination Notices. Owners must maintain a written policy regarding procedures for providing households non-renewal and termination notices.
- (1) The owner must provide in any non-renewal or termination notice, a specific reason for the termination or non-renewal.
  - (2) The notification must:
    - (A) Be delivered as required under applicable program rules;
    - (B) Include the TDHCA form based on HUD form 5380 "Notice of Occupancy Rights under the Violence Against Women Act" and the HUD form 5382 "Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation." To avoid providing applicants and residents with duplicate information, TDHCA administered Developments layered with other federal funds are permitted to amend the TDHCA VAWA forms to incorporate requirements of other funders. However, none of the information included in the TDHCA created form may be omitted;
    - (C) State how a person with a disability may request a reasonable accommodation in relation to such notice; and,
    - (D) Include information on the appeals process if one is used by the property.
- (g) Unit Transfer Policies. Owners must maintain a written policy regarding procedures for households to request a unit transfer. The policy must address the following:
- (1) How security deposits will be handled for both the current unit and the new unit;
  - (2) How transfers related to a reasonable accommodation will be addressed; and,

- (3) For HTC Developments, how transfers will be handled with regard to the multiple building project election on IRS Form(s) 8609 line 8(b) and accompanying statements in accordance with §10.616 of this subchapter, concerning Household Unit Transfer Requirements for All Programs.
- (h) At the time of application Owners must provide each adult in the household the TDHCA form based on HUD form 5380 "Notice of Occupancy Rights under the Violence Against Women Act" and the HUD form 5382 "Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation." To avoid providing applicants and residents with duplicate information, TDHCA administered Developments layered with other federal funds are permitted to amend the TDHCA VAWA forms to incorporate requirements of other funders. However, none of the information included in the TDHCA created form may be omitted.
- (i) No later than June 14, 2017, HOME, NHTF, NSP, 811 PRA, and state HOME match, Development Owners with contracts dated on or after December 16, 2016, must individualize for their Development and then adopt the TDHCA form based on HUD Form 5381 "Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking" or request from the Department to use another Federal program's Emergency Transfer Plan.



## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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February 7, 2019

Writer's direct phone # (512) 475-3292  
Email: [lucy.weber@tdhca.state.tx.us](mailto:lucy.weber@tdhca.state.tx.us)

Joel Ospovat  
Country Park Apartments, LP  
Austin, TX  
Email address

RE: Country Park Apartments

CMTS ID: 1264

Dear Mr. Ospovat:

The Texas Department of Housing and Community Affairs (Department) received documentation on November 7, 2018 addressing the noncompliance identified during the monitoring review conducted at Country Park Apartments on August 15, 2018. Corrective action was due on November 18, 2018.

The documentation submitted was sufficient to correct the noncompliance related to **Noncompliance with tenant selection requirements described in §10.610 of this subchapter**, **Noncompliance with lease requirements described in §10.613 of this subchapter** affecting unit 2107 and **Noncompliance with tenant selection requirements described in §10.610 of this subchapter** affecting units 2107 and 8115. Please see attached Finding Report for details.

If you have any questions, please contact Lucy Weber toll free in Texas at (800) 643-8204, directly at (512) 475-3292 or email: [lucy.weber@tdhca.state.tx.us](mailto:lucy.weber@tdhca.state.tx.us).

Sincerely,

A handwritten signature in cursive script that reads "Lucy Weber".

Digitally signed by Lucy  
Weber  
Date: 2019.02.07  
08:00:04 -06'00'

Lucy Weber  
Compliance Monitor



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
COMPLIANCE REVIEW  
DETAIL FINDINGS AND CORRECTIVE ACTION  
By program

Property ID # 1264  
Property Country Park Apartments  
Address 1606 E Mckinney St, Denton, TX-76209

Last Desk Review Date:  
Last Onsite Review Date: 08/15/18  
Program(s): LIHTC File # 94138  
Occupancy as of 07/20/18

PROGRAM: ALL FILE#

PROGRAM: LIHTC FILE# 94138

PROPERTY FINDINGS

**Finding** Noncompliance with tenant selection requirements described in §10.610 of this subchapter  
**Noncompliance Date** 06/01/2018 **Current Status** Corrected - Not Reportable **Correction Date** 11/07/2018  
to IRS  
**Reason** The submitted Written Policies and Procedures (as required per 10TAC §10.610) for the Development do not appear to meet the requirements of the rule. Please see attached a copy of the rule that highlights the areas in question.  
**Corrective Action** Submit revised written policies and procedures that comply with this subchapter. For additional resource, watch the "2015 Tenant Selection Criteria Webinar Video" found here: <http://www.tdhca.state.tx.us/pmcomp/presentations.htm>.  
**Potential Administrative Penalty**

UNIT FINDINGS

**Unit #** 2107 **Bldg. #** 2 **BIN #** TX9401276  
**Finding** Noncompliance with lease requirements described in §10.613 of this subchapter  
**Noncompliance Date** 08/13/2018 **Current Status** Corrected - Not Reportable **Correction Date** 09/28/2018  
to IRS  
**Reason** The following provisions are required to be included in the lease or in a lease addendum: 1) that evictions or terminations of tenancy for other than good cause are prohibited [10.613(a)]; and 2) Owners are prohibited from locking out or threatening to lock out any Development resident, except by judicial process, unless the exclusion is necessary for the purpose of performing repairs or construction work, or in cases of emergency. Owners are further prohibited from seizing or threatening to seize the personal property of a resident except by judicial process unless the resident has abandoned the premises [10.613(f)]. These provisions were not included in the lease or found on a lease addendum in the resident file.  
**Corrective Action** Have the household execute the appropriate lease addendum and submit the executed addendum to the Department for review.  
**Potential Administrative Penalty**

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
COMPLIANCE REVIEW  
DETAIL FINDINGS AND CORRECTIVE ACTION  
By program

PROGRAM: LIHTC FILE# 94138

Continued

**UNIT FINDINGS**

**Unit #** 2107      **Bldg. #** 2      **BIN #** TX9401276  
**Finding**      Noncompliance with tenant selection requirements described in §10.610 of this subchapter  
**Noncompliance Date**      08/13/2018      **Current Status** Corrected - Not Reportable      **Correction Date**      08/17/2018  
to IRS  
**Reason**      Effective April 24, 2016, the Tenant Selection Criteria under which an applicant was screened must be included in the household's file. The Tenant Selection Criteria was not found in the resident file.  
**Corrective Action**      A certification from the owner citing compliance with §10.610 was received, no further action required.  
**Potential Administrative Penalty**

**Unit #** 8115      **Bldg. #** 8      **BIN #** TX9401282  
**Finding**      Noncompliance with tenant selection requirements described in §10.610 of this subchapter  
**Noncompliance Date**      07/07/2016      **Current Status** Corrected - Not Reportable      **Correction Date**      08/17/2018  
to IRS  
**Reason**      Effective April 24, 2016, the Tenant Selection Criteria under which an applicant was screened must be included in the household's file. The Tenant Selection Criteria was not found in the resident file.  
**Corrective Action**      A certification from the owner citing compliance with §10.610 was received, no further action required.  
**Potential Administrative Penalty**



## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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January 24, 2018

*Writer's direct phone # (512) 475-3695*  
*Email: [cherie.shearfield@tdhca.state.tx.us](mailto:cherie.shearfield@tdhca.state.tx.us)*

Joel Ospovat  
Country Park Apartments, LP  
Austin, TX  
[debra@sandalwoodmgt.com](mailto:debra@sandalwoodmgt.com)

RE: Country Park Apartments

CMTS ID: 1264

Dear Mr. Ospovat:

A review of the Uniform Physical Condition Standards (UPCS) inspection, performed by the Department's contractor on December 12, 2017, has been completed. A copy of the report is included for your review. The inspection resulted in violations of UPCS protocols (referred to in the Department's Rules 10TAC §10.621).

**Deadline:** This notice begins the corrective action period. You must supply all requested documentation no later than **April 24, 2018**, the last day of the corrective action period. The attached List of Deficiencies Found has been prepared to explain the Department's finding of noncompliance and to detail required corrective action. A response to this letter and report must be provided to and received by the Department prior to **April 24, 2018**.

**How you must respond:** If you have already submitted documentation for review, that documentation has not been reviewed or assessed prior to this letter and report. Please review this report against any and all submissions by you to ensure that all issues in this letter were appropriately and fully addressed and that the documentation you have submitted substantiates this, then either upload confirmation that you are satisfied with your response or submit a revised and updated response and supporting materials prior to **April 24, 2018**.

When all deficiencies listed in the List of Deficiencies Found section of the report are corrected, provide documentation of work completed. Acceptable documentation includes: copies of work orders (listing the deficiency, action taken or repairs made to correct the deficiency, date of corrective action, and signature of the person responsible for the correction), invoices (from vendors, etc.), or other proof of correction. Photographs are not required but may be submitted if labeled and only in support of a work order or invoice. In order to expedite the closeout process, it is important that the documentation of work completed is arranged and submitted in the same order as on the List of Deficiencies Found.

If you do not understand how to complete the corrective action, please contact us as soon as possible so that you can correct matters before the deadline; staff can refer you to resources for additional training and technical assistance. If it is not possible to provide the requested documentation by the corrective action deadline, correct as much as you can and submit a corrective action plan detailing how and when the remaining issues will be resolved.





Upload your corrective action to the Electronic Document Attachment system using the development's Compliance Monitoring and Tracking System ("CMTS") account. For instructions on how to use the attachment system, please see *Attaching Documents to CMTS* found on the Department's website. To access, on the home page, select "Support and Services" tab; then select "Compliance". From the submenu, select "Online Reporting". Unless specifically directed by the Compliance Monitor indicated below, TDHCA will not accept submissions via email, fax, or mail.

**How TDHCA will review:** It is critical that you understand that this process requires each party, you and the Department, to perform its role timely and independently. The Department provides its inspection results, you respond prior to the end of the corrective action date and include in your response documentation to support the appropriateness and completeness of the corrective actions taken. *After the corrective action date*, the Department's Compliance staff reviews your response and supportive materials. We do not provide interim reviews or feedback because it is an important part of your responsibility to ensure that the response and supporting materials are submitted complete and on time.

Your submission will be reviewed one time, after the end of the corrective action period, at which time the Department will determine whether or not the submitted materials sufficiently document that you have corrected the cited instances of noncompliance. Noncompliance not corrected and documented as such during the corrective action period will be taken into consideration prior to any future funding or awards from the Department. To be considered corrected within the corrective action period, documentation evidencing the correction must be received by **April 24, 2018**, the end of the corrective action period.

**If your response is incomplete: Failure to submit complete and satisfactory corrections on or before the corrective action deadline will result in a referral to the Department's Enforcement Committee. Please see 10TAC §2.302 for a listing of specific penalty amounts.**

The development's Compliance period has ended and notice of violations is no longer supplied to the IRS. The extended use period for the development remains in effect for an additional 15 years after expiration of the compliance period. The Department will continue to monitor for compliance with all restrictions in the LURA as required in §10TAC 10.623.

Please extend our thanks to your onsite staff for their hospitality and cooperation extended during the inspection. If you have any questions about this inspection report, please contact us toll free in Texas at (800) 643-8204, directly at (512) 475-3695, or email: [cherie.shearfield@tdhca.state.tx.us](mailto:cherie.shearfield@tdhca.state.tx.us).

Sincerely,



C.M. Shearfield  
Inspection Specialist

# Scoring

Texas Department of Housing And Community Affairs  
**REAC Scoring for Country Park Apartments**  
 1606 McKinney St Denton, TX 76209

Printed on: January 03, 2018

Page 1

<b>Scoring Summary</b>		
<b>Areas</b>	<b>Possible Points</b>	<b>Points Scored</b>
Site	<b>16.6</b>	<b>12.2</b>
Building Exteriors	<b>17.7</b>	<b>16.3</b>
Building Systems	<b>22.8</b>	<b>22.8</b>
Building Common Areas	<b>.0</b>	<b>.0</b>
Units	<b>42.8</b>	<b>38.9</b>
<b>Inspection Total</b>	<b>100</b>	<b>90</b>

**Site**

Ded. Pts	Building/Unit Name	Inspectable Item	Deficiency	Item Weight	Criticality Level	Severity Level
4.449		Fencing and Gates	Holes/Missing Section/Damaged/Falling/Leaning (Security, Safety)	10%	3	1

**Bldg Exterior**

Ded. Pts	Building/Unit Name	Inspectable Item	Deficiency	Item Weight	Criticality Level	Severity Level
0.220	Bldg 2	Walls	Missing/Damaged Caulking/Mortar	14.9%	3	0.25
0.408	Bldg 6	Roofs	Missing/Damaged Components from Downspout/Gutter	18.4%	2.25	0.5
<b>0.816</b>	<b>Bldg 7</b>	<b>Health &amp; Safety</b>	<b>Hazards - Sharp Edges</b>	<b>18.4%</b>	<b>2.25</b>	<b>1</b>

**Units**

Ded. Pts	Building/Unit Name	Inspectable Item	Deficiency	Item Weight	Criticality Level	Severity Level
0.288	Bldg 10 / 10103	Doors	Damaged Hardware/Locks	4.5%	2.25	1
0.288	Bldg 11 / 11111	Doors	Damaged Hardware/Locks	4.5%	2.25	1
0.288	Bldg 2 / 2206	Doors	Damaged Hardware/Locks	4.5%	2.25	1
0.288	Bldg 2 / 2206	Doors	Damaged Surface (Holes/Paint/Rusting)	4.5%	2.25	1
0.240	Bldg 2 / 2206	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25
0.288	Bldg 3 / 3107	Doors	Damaged Hardware/Locks	4.5%	2.25	1
0.240	Bldg 3 / 3107	Kitchen	Refrigerator-Missing/Damaged/Inoperable	15%	2.25	0.25
0.288	Bldg 4 / 4109	Doors	Damaged Hardware/Locks	4.5%	2.25	1
0.288	Bldg 5 / 5212	Doors	Damaged Hardware/Locks	4.5%	2.25	1
0.288	Bldg 6 / 6105	Doors	Damaged Hardware/Locks	4.5%	2.25	1
0.288	Bldg 7 / 7113	Doors	Damaged Hardware/Locks	4.5%	2.25	1
0.267	Bldg 7 / 7113	Kitchen	Dishwasher/Garbage Disposal - Inoperable	15%	1.25	0.5
0.288	Bldg 8 / 8202	Doors	Damaged Hardware/Locks	4.5%	2.25	1
0.288	Bldg 9 / 9208	Doors	Damaged Hardware/Locks	4.5%	2.25	1

# List of Deficiencies

**Texas Department of Housing And Community Affairs**  
**List of Deficiencies Found**

Printed On: January 03, 2018

Inspectable Area Inspectable Item	Deficiency	1	2	3	Comments
Country Park Apartments 1606 McKinney St Denton, TX 76209					
Building:					
Unit:					
Fencing and Gates	Holes/Missing Section/Damaged/Falling/Leaning (Security, Safety)			L3	Front gate not working properly; will not close
Building: Bldg 10					
Unit: 10103					
Doors	Damaged Hardware/Locks			L3	Front door spring and bath door
Smoke Detector	Missing/Inoperable			L3	Hall (RDI)
Building: Bldg 11					
Unit: 11111					
Doors	Damaged Hardware/Locks			L3	Front door spring
Building: Bldg 2					
Unit:					
Building Exterior					
Walls	Missing/Damaged Caulking/Mortar		L1		□
Unit: 2206					
Doors	Damaged Surface (Holes/Paint/Rusting)			L3	Bath 1
Doors	Damaged Hardware/Locks			L3	Front door
Kitchen	Refrigerator-Missing/Damaged/Inoperable		L1		Bottom
Building: Bldg 3					
Unit: 3107					
Doors	Damaged Hardware/Locks			L3	Bdt dr latch, Front door spring
Kitchen	Refrigerator-Missing/Damaged/Inoperable		L1		Bottom
Building: Bldg 4					
Unit: 4109					
Doors	Damaged Hardware/Locks			L3	Spring load door
Building: Bldg 5					
Unit: 5212					
Doors	Damaged Hardware/Locks			L3	Front door
Building: Bldg 6					
Unit:					
Building Exterior					
Roofs	Missing/Damaged Components from Downspout/Gutter		L2		Downspout
Unit: 6105					
Doors	Damaged Hardware/Locks			L3	Front door spring hindges
Building: Bldg 7					
Unit:					
Building Exterior					
Health & Safety	Hazards - Sharp Edges			L3	Elbow
Unit: 7113					
Doors	Damaged Hardware/Locks			L3	Spring load hindge
Kitchen	Dishwasher/Garbage Disposal - Inoperable		L2		Disposal (RDI)
Building: Bldg 8					
Unit: 8202					
Doors	Damaged Hardware/Locks			L3	fRONT
Building: Bldg 9					
Unit: 9208					
Doors	Damaged Hardware/Locks			L3	Front door spring
Smoke Detector	Missing/Inoperable			L3	Bdr 3 (RDI)

# **Exigent and Fire Safety Hazards**

**NOTIFICATION OF EXIGENT AND FIRE SAFETY HAZARDS OBSERVED**

TDHCA Number: 1264 Inspection Date: 12/20/2017  
 Property Name: Country Park Apartments Property Phone: 940-243-0007  
 Property Address: 1606 McKinney 0248  
 Property City: Denton Zip: 76209

**PART 1: EXIGENT HEALTH AND SAFETY HAZARDS**

<b>Air Quality</b> A--Propane/Natural Gas/Methane Gas Detected  <b>Electrical Hazards</b> B--Exposed Wires/Open Panels C-- Water Leaks On or Near Electrical Equipment	<b>Emergency Equipment/Fire Exits/Fire Escapes</b> D-- Emergency/Fire Exits/Blocked/Unusable Fire Escapes E-- Blocked Egress/Ladders  <b>Gas/Oil Hot Water Heater/Gas/Oil HVAC</b> F-- Carbon Monoxide Hazard - Gas/Oil Fired Unit - Missing / Misaligned Chimney
<b>** The Texas Department of Housing and Community Affairs requires all exigent hazards be mitigated immediately. A certification of correction is to be filed with the Department within 72 hours of the date of the inspection.</b>	

During this inspection the following items were observed and noted as Exigent Health and Safety hazards which require immediate attention.

Item Number	Site or Bldg. Location	DU or CA Location	CHECK DEFECT TYPE(S) (See list below)						COMMENT(S)	Certificate**
			A	B	C	D	E	F		
1										
2										
3										
4										
5										

\*\* Reserved for Agency use.

**PART 2: FIRE SAFETY HAZARD**

<b>Emergency Equipment/Fire Exits/Fire Escapes</b> G-- Window Security Bars Prevent Egress H-- Fire Extinguishers Expired	<b>Smoke Detectors</b> I -- Missing/Inoperative
---	--

During this inspection the following items were observed and noted as Fire Safety hazards which require immediate attention:

Item Number	Site or Bldg. Location	DU or CA Location	CHECK DEFECT TYPE(S) (See list below)			COMMENT(S)	Certificate**
			G	H	I		
1	1D	10103			✓	Smoke Alarm Bldg 10 (POI)	
2	9	9206			✓	Smoke Alarm Bldg 3 (POI)	
3							
4							

\*\* Reserved for Agency use.

Other Health and Safety Concerns Not Defined In Above Matrix.

1	
2	

NAME OF OWNER / AGENT'S REPRESENTATIVE (Please print legibly)

Brenda Duran  
 SIGNATURE OF OWNER / AGENT'S REPRESENTATIVE  
Brenda Duran

INSPECTOR NAME (Print)

Anthony Ruggs

Date: 12/20/2017



# Checklists



Common Use Checklist

1264	Country Park Apts.	Wednesday, December 20, 2017	FHA	Yes	No
<b>ACCESSIBLE ROUTE</b>					
<b>Route</b> At least one accessible route is a continuous, unobstructed path through the development (with sufficient curb cuts).			FH 2.12	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Amenity Access</b> The accessible route connects all buildings containing UFAS and/or FH-covered units and <u>at least one</u> of each amenity.			FH 1.6	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Route Width</b> The accessible route has a minimum clear width of 36" (not reduced by obstructions, vegetation, parked cars).			FH 2.15	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Stair/Ramp alternative</b> Stairs that are installed along the accessible route also provide a ramp as an alternative way to get between levels.			FH 1.7	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>ACCESSIBLE PARKING</b>					
<b>Minimum Parking Spaces</b> A minimum of 2% of parking spaces for covered units and/or a minimum of one parking spaces for mobility units.			FH 2.23	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Accessible Parking Signs</b> All accessible parking spaces are designated as reserved for the disabled with a sign showing the symbol of accessibility. The sign must not be obstructed by a vehicle parked in the space.			FH 2.20	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Space Width</b> All designated parking spaces are at least 96" wide and have an adjacent access aisle that is 60" wide which can be shared between two spaces.			FH 2.20	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Access Aisle</b> Accessible parking space aisles are part of the accessible route to the building or facility entrance.			FH 2.20	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Parking Space Types</b> If the development provides different types of parking (i.e. carpots, garage, surface, etc.) at least one of each type is designated as accessible.			FH 2.23	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Parking at amenities</b> If parking spaces are available at common and public use amenities then one space is designated as accessible.			FH 2.23	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>COVERED UNITS - PRIMARY ENTRY DOOR</b>					
<b>Door handles</b> Doors requiring passage that are part of an accessible route have door hardware that is operable with a shape that is easy to grip with one hand and does not require tight grasping, pinching, or twisting of the wrist. FHA only, all entry doors on accessible route (including screen doors).			FH 3.3	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>COMMON USE DOORS</b>					
<b>Door handles</b> Doors requiring passage that are part of an accessible route have door hardware that is operable with a shape that is easy to grip with one hand and does not require tight grasping, pinching, or twisting of the wrist (including screen doors).			FH 3.3	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>COMMON USE FACILITIES</b>					
<b>Trash disposal facilities</b> (at least one) is provided on an accessible route with hardware that does not require tight grasping, pinching, twisting of the wrist to operate and is no higher than 54" for a side approach or 48" if only a front approach is possible			FH 2.16	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Common-Use Laundry Facilities</b> starting 2002 and beyond (at least one) provides washing machine(s) and clothes dryer(s) that are front loading.			N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Rent Collection Slots</b> slots less than 54" for side reach approach.			FH 2.12	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
A covered unit/building is any residential unit or common use amenity on the ground floor and/or served by an elevator. Townhouse or multi-story residential units with one primary entrance are NOT required to meet the Fair Housing Act.					



## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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Greg Abbott  
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Asusena Reséndiz, Member  
Sharon Thomason, Member  
Leo Vasquez, Member

May 16, 2018

*Writer's direct phone # 512-463-0172*  
*Email: [chad.farquhar@tdhca.state.tx.us](mailto:chad.farquhar@tdhca.state.tx.us)*

Joel Ospovat  
Country Park Apartments, LP  
Austin, TX  
[debra@sandalwoodmgt.com](mailto:debra@sandalwoodmgt.com)

RE: Country Park Apartments

CMTS ID: 1264

Dear Mr. Ospovat:

The Texas Department of Housing and Community Affairs (Department) has received and reviewed the corrective action submitted in response to the physical inspection of Country Park Apartments conducted on December 12, 2017.

Country Park Apartments has made all repairs and corrections required. Please note that although the identified deficiencies have been mitigated, only a sample of units was inspected for the purposes of the report. It is the owner's responsibility to maintain compliance property wide. The Department may select a sample of units to re-inspect in order to verify that corrective actions have been completed.

This letter addresses only deficiencies noted during the physical inspection. Other findings may have resulted from other reviews. Please contact the appropriate lead monitor for additional information concerning other reviews.

The development's Compliance period has ended and notice of violations is no longer supplied to the IRS. The extended use period for the development remains in effect for an additional 15 years after expiration of the compliance period. The Department will continue to monitor for compliance with all restrictions in the LURA as required in §10TAC 10.623.

If you have any questions regarding the inspection or UPCS, please contact me at (512) 463-0172, toll-free in Texas at (800) 643-8204, or email: [chad.farquhar@tdhca.state.tx.us](mailto:chad.farquhar@tdhca.state.tx.us).

Sincerely,

**Chad Farquhar**  
Digitally signed by  
Chad Farquhar  
Date: 2018.05.16  
13:22:08 -05'00'

Chad Farquhar  
Inspection Specialist



## Country Park Apartments #1264

UPCS Inspection 12-12-2017

Area	Bldg	Unit	Inspectable Item	Deficiency	Level	Note	Date Complete:	Completed By:	
Site			Fencing and Gates	Holes/Missing Section/Damaged/Falling/Leaning (Security, Safety)	L3	Front gate not working properly; will not close	4/17/2018	Orion Gate	1
Unit	Bldg 10	10103	Doors	Damaged Hardware/Locks	L3	Front door spring and bath door	4/11/2018	JOSE TAVERA	2
Unit	Bldg 10	10103	Smoke Detector	Missing/Inoperable	L3	Hall (RDI)	12/12/2017	verified by Inspector	
Unit	Bldg 11	11111	Doors	Damaged Hardware/Locks	L3	Front door spring	4/11/2018	JOSE TAVERA	3
Building Exterior	Bldg 2		Walls	Missing/Damaged Caulking/Mortar	L1		4-10-2018	Gutierrez Painting	4
Unit	Bldg 2	2206	Doors	Damaged Hardware/Locks	L3	Front door	4-13-18	Jose Tavera	5
Unit	Bldg 2	2206	Doors	Damaged Surface (Holes/Paint/Rusting)	L3	Bath 1	4-13-18	Jose Tavera	5
Unit	Bldg 2	2206	Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1	Bottom	4-13-18	Jose Tavera	5
Unit	Bldg 3	3107	Doors	Damaged Hardware/Locks	L3	Bdt dr latch, Front door spring	4-13-18	JOSE TAVERA	6
Unit	Bldg 3	3107	Kitchen	Refrigerator-Missing/Damaged/Inoperable	L1	Bottom	4-13-18	Jose Tavera	6
Unit	Bldg 4	4109	Doors	Damaged Hardware/Locks	L3	Spring load door	4-13-18	Jose Tavera	7
Unit	Bldg 5	5212	Doors	Damaged Hardware/Locks	L3	Front door	4-13-18	Jose Tavera	8
Building Exterior	Bldg 6		Roofs	Missing/Damaged Components from Downspout/Gutter	L2	Downspout	2-9-18	Collin Wallace	9
Unit	Bldg 6	6105	Doors	Damaged Hardware/Locks	L3	Front door spring hindges	4-12-18	JOSE TAVERA	10
Building Exterior	Bldg 7		Health & Safety	Hazards - Sharp Edges	L3	Elbow	4-20-18	JOSE TAVERA Collin Wallace	11
Unit	Bldg 7	7113	Doors	Damaged Hardware/Locks	L3	Spring load hindge	4-12-18	Jose Tavera	12

Country Park Apartments #1264

UPCS Inspection 12-12-2017

Unit	Bldg 7	7113	Kitchen	Dishwasher/Garbage Disposal - Inoperable	L2	Disposal (RDI)	12/12/2017	verified by Inspector	
Unit	Bldg 8	8202	Doors	Damaged Hardware/Locks	L3	FRONT	4-12-18	JOSE TAVERA	13
Unit	Bldg 9	9208	Doors	Damaged Hardware/Locks	L3	Front door spring	4-12-18	JOSE TAVERA	14
Unit	Bldg 9	9208	Smoke Detector	Missing/Inoperable	L3	Bdr 3 (RDI)	12/12/2017	verified by Inspector	



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June 18, 2018

*Writer's direct phone # (512)475-3067*  
*Email: nicole.martinez@tdhca.state.tx.us*

Wayne Tai  
Casa Quintana, Ltd.  
Los Angeles, TX  
wayne.tai@bethesdaholdings.com

RE: Casa Quintana

CMTS ID: 1609

Dear Mr. Tai:

The Texas Department of Housing and Community Affairs ("Department") has completed a monitoring review of Casa Quintana. This review was performed to determine if the development is in compliance with the requirements of the Housing Tax Credit program.

**Deadline:** This notice begins the corrective action period. You must supply all requested documentation no later than **September 16, 2018**, the last day of the corrective action period. The attached Monitoring and Findings Reports have been prepared to explain the Department's finding of noncompliance and to detail required corrective action. Please note, the noncompliance cited has been corrected and no further action is required; however, if there is any information you would like considered, please submit by **September 16, 2018**. The review will remain open until the end of the corrective action period.

Please upload any documentation you would like considered to the Electronic Document Attachment system using the development's Compliance Monitoring and Tracking System (CMTS) account. For instructions on how to use the attachment system, please see *Attaching Documents to CMTS* found on the Department's website. To access, on the home page, select "Support and Services" tab; then select "Compliance". From the submenu, select "Online Reporting".

Please extend our thanks to your onsite staff for their hospitality and cooperation extended during our monitoring visit. If you have any questions about this monitoring report, please contact nicole martinez toll free in Texas at (800) 643-8204, directly at (512)475-3067, or email: nicole.martinez@tdhca.state.tx.us.

Sincerely,

A handwritten signature in cursive script that reads "Nicole Martinez".

Nicole Martinez  
Compliance Monitor



## Monitoring Report

Casa Quintana  
HTC File: 96149  
CMTS ID: 1609

The Texas Department of Housing and Community Affairs completed an on-site monitoring review of Casa Quintana on May 4, 2018. Nicole Martinez and Julie Staten represented the Department.

### The review resulted in 1 finding of noncompliance:

1. Failure to collect data required by 10.612(b)(1) and/or 10.612(b)(2): affecting unit 2201

### Files reviewed:

303                      704                      1201                      2001                      2201

### Additional tips and links for future reference:

- *Join Our Email List:* The Department recommends signing up for the Email list to receive updates regarding important compliance rule and form changes. Sign up at the "Join our Email List" link in the left column of the TDHCA homepage at <http://www.tdhca.state.tx.us/>.
- *Compliance Monitoring Rules:* These rules change periodically and you are responsible for staying apprised of any and all updates. The rules are published on the Secretary of State website at: [http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=5&ti=10&pt=1&cb=10&sch=F&r=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=10&pt=1&cb=10&sch=F&r=Y).
- *Compliance Forms* are available at: <http://www.tdhca.state.tx.us/pmcomp/forms.htm>
- *Income and Rent Limits* are published at least annually at: <http://www.tdhca.state.tx.us/pmcomp/irl/index.htm>
- *Frequently asked questions and answers* are available at: <http://www.tdhca.state.tx.us/pmcomp/compFaqs.htm>
- *Ownership transfer:* If you are contemplating a sale, transfer, or exchange of the Development or the structure of the owning entity, you are required to receive pre-approval from TDHCA. Procedures are outlined in the Ownership Transfer section of the Post Award Activities Manual at: <http://www.tdhca.state.tx.us/asset-management/pca-manual.htm>.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
COMPLIANCE REVIEW  
DETAIL FINDINGS AND CORRECTIVE ACTION  
*By program*

Property ID # 1609  
Property Casa Quintana  
Address 905 N Avenue J, Freeport, TX-77541

Last Desk Review Date:  
Last Onsite Review Date: 05/04/18  
Program(s): LIHTC File # 96149  
Occupancy as of 04/25/18

PROGRAM: ALL FILE#

**UNIT FINDINGS**

<b>Unit #</b> 2201	<b>Bldg. #</b> 21	<b>BIN #</b> TX9600951
<b>Finding</b>	Failure to collect data required by §10.612(b)(1) and/or §10.612(b)(2)	
<b>Noncompliance Date</b>	04/01/2018	<b>Current Status</b> Corrected - Not Reportable to IRS
<b>Reason</b>	Per the 10TAC §10.612, owners of Housing Tax Credit developments must collect and maintain current data on each household, annually, that includes the number of household members, age, ethnicity, race, and disability status. In addition owners must also collect and maintain current student status data for each low income household. This information must be collected within 120 days before the anniversary date of the household's move in or initial designation. The household occupied the unit on April 1, 2016 and Annual data collection was completed on April 10, 2018 (after onsite notification.)	
<b>Corrective Action</b>	Corrected, no further action required.	
<b>Potential Administrative Penalty</b>		

PROGRAM: LIHTC FILE# 96149



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December 20, 2018

*Writer's direct phone # (512) 475 -0281*  
*Email: [julie.staten@tdhca.state.tx.us](mailto:julie.staten@tdhca.state.tx.us)*

Wayne Tai  
Casa Quintana, Ltd.  
Los Angeles, California  
[wayne.tai@bethesda Holdings.com](mailto:wayne.tai@bethesda Holdings.com)

RE: Casa Quintana

CMTS ID: 1609

Dear Mr. Tai:

The Texas Department of Housing and Community Affairs ("Department") received documentation on April 10, 2018 addressing the noncompliance identified during the monitoring review conducted at Casa Quintana on May 4, 2018. Corrective action was due on September 16, 2018. All noncompliance was corrected prior to the issuance of monitoring letter and no further action was required. As the corrective action period has ended, review is considered closed. Please see attached Findings Report for details.

If you have any questions, please contact Julie Staten toll free in Texas at (800) 643-8204, directly at (512) 475-0281 or email: [julie.staten@tdhca.state.tx.us](mailto:julie.staten@tdhca.state.tx.us).

Sincerely,

**Julie**  
**Staten**  
Julie Staten  
Compliance Monitor

Digitally signed  
by Julie Staten  
Date: 2018.12.20  
11:27:43 -06'00'





TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
COMPLIANCE REVIEW  
DETAIL FINDINGS AND CORRECTIVE ACTION  
*By program*

Property ID # 1609  
Property Casa Quintana  
Address 905 N Avenue J, Freeport, TX-77541

Last Desk Review Date:  
Last Onsite Review Date: 05/04/18  
Program(s): LIHTC File # 96149  
Occupancy as of 04/25/18

PROGRAM: ALL FILE#

**UNIT FINDINGS**

**Unit #** 2201      **Bldg. #** 21      **BIN #** TX9600951  
**Finding** Failure to collect data required by §10.612(b)(1) and/or §10.612(b)(2)  
**Noncompliance Date** 04/01/2018      **Current Status** Corrected - Not Reportable      **Correction Date** 04/10/2018  
to IRS  
**Reason** Per the 10TAC §10.612, owners of Housing Tax Credit developments must collect and maintain current data on each household, annually, that includes the number of household members, age, ethnicity, race, and disability status. In addition owners must also collect and maintain current student status data for each low income household. This information must be collected within 120 days before the anniversary date of the household's move in or initial designation. The household occupied the unit on April 1, 2016 and Annual data collection was completed on April 10, 2018 (after onsite notification.)  
**Corrective Action** Corrected, no further action required.  
**Potential Administrative Penalty**

PROGRAM: LIHTC FILE# 96149



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Sharon Thomason, Member  
Leo Vasquez, Member

April 20, 2018

*Writer's direct phone # (512) 475-0207*  
*Email: [manuel.pena@tdhca.state.tx.us](mailto:manuel.pena@tdhca.state.tx.us)*

Wayne Tai  
Casa Quintana, Ltd.  
Los Angeles, CA  
[wayne.tai@bethesdaholdings.com](mailto:wayne.tai@bethesdaholdings.com)

RE: Casa Quintana

CMTS ID: 1609

Dear Mr. Tai:

A review of the Uniform Physical Condition Standards (UPCS) inspection, performed by the Department's contractor on **March 20, 2018**, has been completed. A copy of the report is included for your review. The inspection resulted in violations of UPCS protocols (referred to in the Department's Rules 10TAC §10.621).

**Deadline:** This notice begins the corrective action period. You must supply all requested documentation no later than **July 19, 2018**, the last day of the corrective action period. The attached List of Deficiencies Found has been prepared to explain the Department's findings of noncompliance and to detail required corrective action. A response to this letter and report must be provided to and received by the Department no later than **July 19, 2018**.

**How you must respond:** As a result of the UPCS Score of 76 or higher, copies of work orders (listing the deficiency, action taken or repairs made to correct the deficiency, date of corrective action, and signature of the person responsible for the correction), invoices (from vendors, etc.), *are not* required at this time. **When all deficiencies are corrected, update the Deficiency Report with the date that each deficiency was corrected and the party responsible for correcting; and, complete the attached Owner Certification of Corrected Noncompliance.** Upload the completed Deficiency Report and Certification to the Electronic Document Attachment system using the development's Compliance Monitoring and Tracking System ("CMTS") account no later than **July 19, 2018**.

For instructions on how to use the attachment system, please see *Attaching Documents to CMTS* found on the Department's website. To access, on the home page, select "Support and Services" tab; then select "Compliance". From the submenu, select "Online Reporting". Unless specifically directed by the Compliance Monitor indicated below, TDHCA will not accept submissions via email, fax, or mail.



If you do not understand how to complete the corrective action, please contact us as soon as possible so that you can correct matters before the deadline; staff can refer you to resources for additional training and technical assistance. If it is not possible to provide the requested documentation by the corrective action deadline, correct as much as you can and submit a corrective action plan detailing how and when the remaining issues will be resolved.

**How TDHCA will review:** It is critical that you understand that this process requires each party, you and the Department, to perform its role timely and independently. The Department provides its inspection results, you respond prior to the end of the corrective action date and include in your response documentation to support the appropriateness and completeness of the corrective actions taken. *After the corrective action date*, the Department's Compliance staff reviews your response and supportive materials. We do not provide interim reviews or feedback because it is an important part of your responsibility to ensure that the response and supporting materials are submitted complete and on time.

Your submission will be reviewed one time, after the end of the corrective action period, at which time the Department will determine whether or not the submitted materials sufficiently document that you have corrected the cited instances of noncompliance. Noncompliance not corrected and documented as such during the corrective action period will be taken into consideration prior to any future funding or awards from the Department. To be considered corrected within the corrective action period, documentation evidencing the correction must be received by **July 19, 2018**, the end of the corrective action period.


**If your response is incomplete: Failure to submit complete and satisfactory corrections on or before the corrective action deadline will result in a referral to the Department's Enforcement Committee. Please see 10TAC §2.302 for a listing of specific penalty amounts.**

The development's Compliance period has ended and notice of violations is no longer supplied to the IRS. The extended use period for the development remains in effect for an additional 15 years after expiration of the compliance period. The Department will continue to monitor for compliance with all restrictions in the LURA as required in §10TAC 10.623.

Please extend our thanks to your onsite staff for their hospitality and cooperation extended during the inspection. If you have any questions about this inspection report, please contact us toll free in Texas at (800) 643-8204, directly at (512) 475-0207 or email: [manuel.pena@tdhca.state.tx.us](mailto:manuel.pena@tdhca.state.tx.us)

Sincerely,

**Manuel  
Pena, Jr.**

 Digitally signed by  
Manuel Pena, Jr.  
Date: 2018.04.20  
14:46:50 -05'00'

Manuel Pena, Jr.  
Senior Inspection Specialist

Texas Department of Housing And Community Affairs  
REAC Scoring for Casa Quintana

Printed on: March 27, 2018

Page 1

<b>Scoring Summary</b>		
<b>Areas</b>	<b>Possible Points</b>	<b>Points Scored</b>
Site	16.6	16.6
Building Exteriors	17.7	17.7
Building Systems	22.8	22.8
Building Common Areas	.0	.0
Units	42.8	34.0
<b>Inspection Total</b>	<b>100</b>	<b>91</b>

**Units**

Ded. Pts	Building/Unit Name	Inspectable Item	Deficiency	Item Weight	Criticality Level	Severity Level
0.017	Bldg 15 / 1602	Ceiling	Peeling/Needs Paint	4%	0.5	0.25
2.600	Bldg 1 / 101	Bathroom	Plumbing - Clogged Drains	15%	5	1
<b>1.170</b>	<b>Bldg 1 / 101</b>	<b>Health &amp; Safety</b>	<b>Infestation - Insects</b>	<b>15%</b>	<b>2.25</b>	<b>1</b>
1.170	Bldg 10 / 1102 sub no key 1103	Outlets/Switches	Missing/Broken Cover Plates	4%	2.25	1
0.468	Bldg 10 / 1102 sub no key 1103	Doors	Deteriorated/Missing Seals (Entry Only)	4.5%	3	1
1.734	Bldg 19 / 2001 sub no key 2003	Electrical	GFI Inoperable	10%	5	1
0.156	Bldg 21 / 2202	Laundry Area	Dryer Vent Missing/Damaged/Inoperable	2%	2.25	1
0.078	Bldg 21 / 2202	Walls	Damaged	4%	2.25	0.25
0.176	Bldg 4 / 402	Doors	Damaged Hardware/Locks	4.5%	2.25	0.5
<b>1.170</b>	<b>Bldg 6 / 603</b>	<b>Health &amp; Safety</b>	<b>Infestation - Insects</b>	<b>15%</b>	<b>2.25</b>	<b>1</b>
0.078	Bldg 9 / 1003	Walls	Damaged	4%	2.25	0.25



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Sharon Thomason, Member  
Leo Vasquez, Member

July 20, 2018

*Writer's direct phone # (512) 475-0207*

*Email: [manuel.pena@tdhca.state.tx.us](mailto:manuel.pena@tdhca.state.tx.us)*

Wayne Tai  
Casa Quintana, Ltd.  
Los Angeles, CA  
[wayne.tai@bethesda Holdings.com](mailto:wayne.tai@bethesda Holdings.com)

RE: Casa Quintana

CMTS ID: 1609

Dear Mr. Tai:

The Texas Department of Housing and Community Affairs (Department) has received and reviewed the corrective action submitted in response to the physical inspection of Casa Quintana conducted on March 20, 2018.

Casa Quintana has made all repairs and corrections required. Please note that although the identified deficiencies have been mitigated, only a sample of units was inspected for the purposes of the report. It is the owner's responsibility to maintain compliance property wide. The Department may select a sample of units to re-inspect in order to verify that corrective actions have been completed.

This letter addresses only deficiencies noted during the physical inspection. Other findings may have resulted from other reviews. Please contact the appropriate lead monitor for additional information concerning other reviews.

The development's Compliance period has ended and notice of violations is no longer supplied to the IRS. The extended use period for the development remains in effect for an additional 15 years after expiration of the compliance period. The Department will continue to monitor for compliance with all restrictions in the LURA as required in §10TAC 10.623.

If you have any questions regarding the inspection or the UPCS, please contact me at (512) 475-0207, toll-free in Texas at (800) 643-8204, or email: [manuel.pena@tdhca.state.tx.us](mailto:manuel.pena@tdhca.state.tx.us).

Sincerely,

**Manuel Pena,** Digitally signed by Manuel  
Pena, Jr.  
Date: 2018.07.20 10:38:45  
-05'00'  
**Jr.**  
Manuel Pena, Jr.  
Senior Inspection Specialist



Site	Area	Bldg Name	Bldg Unit Name	Inspectable Item	Bldg Common Item	Deficiency	Level	Note	Date Completed	Completed By:
Casa Quintana	Unit	Bldg 15	1602	Ceiling		Peeling/Needs Paint	L1	Bath 2	3/23/2018	Contract labor
Casa Quintana	Unit	Bldg 1	101	Bathroom		Plumbing - Clogged Drains	L3	Bath 1	3/20/2018	Contract labor
Casa Quintana	Unit	Bldg 1	101	Health & Safety		Infestation - Insects	L3	Kitchen roaches	3/28/2018	Envirotrol
Casa Quintana	Unit	Bldg 10	1102 sub no key 1103	Doors		Deteriorated/Missing Seals (Entry Only)	L3	Front	3/20/2018	Leroy
Casa Quintana	Unit	Bldg 10	1102 sub no key 1103	Outlets/Switches		Missing/Broken Cover Plates	L3	Living (RDI)	3/20/2018	Bruno
Casa Quintana	Unit	Bldg 19	2001 sub no key 2003	Electrical		GFI Inoperable	L3	Kitchen	3/20/2018	Bruno
Casa Quintana	Unit	Bldg 21	2202	Laundry Area		Dryer Vent Missing/Damaged/Inoperable	L3	Vent	4/6/2018	Contract labor
Casa Quintana	Unit	Bldg 21	2202	Walls		Damaged	L1	Shower bath 2	6/9/2018	Dillon
Casa Quintana	Unit	Bldg 4	402	Doors		Damaged Hardware/Locks	L2		3/20/2018	Felipe
Casa Quintana	Unit	Bldg 6	603	Health & Safety		Infestation - Insects	L3	Kitchen	3/28/2018	Envirotrol
Casa Quintana	Unit	Bldg 9	1003	Walls		Damaged	L1	Hole in wall hall	6/16/2018	Contract labor



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Sharon Thomason, *Member*  
Leo Vasquez, *Member*

July 2, 2019

*Writer's direct phone # (512) 475 -0208*  
*Email: [erika.santa@tdhca.state.tx.us](mailto:erika.santa@tdhca.state.tx.us)*

Cathy Graugnard  
Plainview Vistas, LP  
San Antonio, TX  
[tigonivillas@uahmgt.com](mailto:tigonivillas@uahmgt.com)

RE: Plainview Vistas

CMTS ID: 4073

Dear Ms. Graugnard:

The Texas Department of Housing and Community Affairs ("Department") has completed a monitoring review of Plainview Vistas. This review was performed to determine if the development is in compliance with the requirements of the Housing Tax Credit (HTC) program.

**Deadline:** This notice begins the corrective action period. You must supply all requested documentation no later than **September 30, 2019**, the last day of the corrective action period. The attached Monitoring and Findings Reports have been prepared to explain the Department's findings of noncompliance and to detail required corrective action. A response to this letter and these reports must be provided to and received by the Department prior to **September 30, 2019**.

**How you must respond:** If you have already submitted documentation for review, that documentation has not been reviewed or assessed prior to this letter and report. Please review this report against any and all submissions by you to ensure that all issues in this letter were appropriately and fully addressed and that the documentation you have submitted substantiates this, then either upload confirmation that you are satisfied with your response or submit a revised and updated response and supporting materials prior to **September 30, 2019**.

If you do not understand how to complete the corrective action, please contact us as soon as possible so that you can correct matters before the deadline; staff can refer you to resources for additional training and technical assistance. If it is not possible to provide the requested documentation by the corrective action deadline, correct as much as you can and submit a corrective action plan detailing how and when the remaining issues will be resolved.

Upload your corrective action to the Electronic Document Attachment system using the development's Compliance Monitoring and Tracking System ("CMTS") account. For instructions on



how to use the attachment system, please see *Attaching Documents to CMTS* found on the Department's website. To access, on the home page, select "Support and Services" tab; then select "Compliance". From the submenu, select "Online Reporting". Unless specifically directed by the Compliance Monitor indicated below, TDHCA will not accept submissions via email, fax, or mail.

**How TDHCA will review:** It is critical that you understand that this process requires each party, you and the Department, to perform its role timely and independently. The Department provides its monitoring results, you respond prior to the end of the corrective action date and include in your response documentation to support the appropriateness and completeness of the corrective actions taken, and then, *after the corrective action date*, the Department's Compliance staff reviews your response and supportive materials. We do not provide interim reviews or feedback because it is an important part of your responsibility to ensure that the response and supporting materials are timely and sufficient.

Your submission will be reviewed one time, after the end of the corrective action period, at which time the Department will determine whether or not the submitted materials sufficiently document that you have corrected the cited instances of noncompliance. Noncompliance not corrected and documented as such during the corrective action period will be taken into consideration prior to any future funding or awards from the Department. To be considered corrected within the corrective action period, documentation evidencing the correction must be received by **September 30, 2019**, the end of the corrective action period.

**If your response is incomplete: Failure to submit complete and satisfactory corrections on or before the corrective action deadline will result in a referral to the Department's Enforcement Committee. Please see 10TAC §2.302 for a listing of specific penalty amounts.**

Section 42 of the Internal Revenue Code requires the Department to report all noncompliance under the HTC program to the Internal Revenue Service (IRS), even if the noncompliance is corrected. Form(s) 8823 (Notice of Noncompliance) will be mailed to the IRS, with a copy to the owner, after the corrective action deadline.

Please extend our thanks to your onsite staff for their hospitality and cooperation extended during our monitoring visit. If you have any questions about this monitoring report, please contact erika santa toll free in Texas at (800) 643-8204, directly at (512) 475-0208, or email: erika.santa@tdhca.state.tx.us.

Sincerely,



Digitally signed by Erika  
Santa  
Date: 2019.07.02 11:10:07  
-05'00'

Erika Santa  
Compliance Monitor



### **Monitoring Report**

Plainview Vistas  
HTC File: 04154  
CMTS ID: 4073

The Texas Department of Housing and Community Affairs completed an on-site monitoring review of Plainview Vistas on May 23, 2019. Erika Santa, Sussette Kenney and Lucy Weber represented the Department. Diana Ybarra represented the development.

#### **The review resulted in seven findings of noncompliance:**

1. Development failed to meet additional state required rent and occupancy restrictions: affecting units 9, 12, 17, 29, 40, 49, 51, 69, 74
2. Gross rent exceeds the highest rent allowed under the LURA or other deed restriction: affecting units 15, 34, 62, 70, 76
3. Noncompliance with social service requirements
4. Noncompliance with utility allowance requirements described in §10.614 of this subchapter and/or Treasury Regulation 1.42-10
5. Noncompliance with tenant selection requirements described in §10.610 of this subchapter
6. Noncompliance related to Affirmative Marketing requirements described in §10.617
7. Project failed to meet minimum set aside requirement (20/50, 40/60, Average Income test): affecting units 15, 70

#### **The following issues of non-compliance remain outstanding:**

1. No Evidence of, or failure to certify to, regular, continuous, and substantial participation in the development, operation and ownership of the project by a Historically Underutilized Business (HUB) cited August 14, 2013

#### **During the exit interview, the following Technical Assistance was provided:**

- The criteria indicates that guarantors are permitted, guarantors are not permitted in the Housing Tax Credit program, it is recommended the TSC clarify that there are additional market rate units that are not participating in the HTC program and may not reflect the same requirements.
- The Written Qualifying Criteria is unclear with regards to the application deposit referenced in the first paragraph. Developments with HOME, NHTF, NSP, Section 811 and/or TCAP RF units cannot collect an application deposit for units designated under these programs. Owners of HTC, TCAP and Exchange Developments are discouraged from collecting an application deposit. If an application deposit is collected it must soon after be converted into a refundable security deposit.

#### **Files reviewed:**

1	2	4	5	7
8	9	10	12	13
14	15	16	17	18
19	20	24	25	26
28	29	30	31	34

35	36	38	39	40
41	42	43	44	45
46	49	50	51	53
55	56	57	57	59
60	61	62	63	64
67	68	69	70	71
72	73	74	75	76

**Additional tips and links for future reference:**

- *Join Our Email List: The Department recommends signing up for the Email list to receive updates regarding important compliance rule and form changes. Sign up at the “Join our Email List” link in the left column of the TDHCA homepage at <http://www.tdhca.state.tx.us/>.*
- *Compliance Monitoring Rules: These rules change periodically and you are responsible for staying apprised of any and all updates. The rules are published on the Secretary of State website at: [http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=5&ti=10&pt=1&ch=10&sch=F&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=10&pt=1&ch=10&sch=F&rl=Y).*
- *Compliance Forms are available at: <http://www.tdhca.state.tx.us/pmcomp/forms.htm>*
- *Income and Rent Limits are published at least annually at: <http://www.tdhca.state.tx.us/pmcomp/irl/index.htm>*
- *Frequently asked questions and answers are available at: <http://www.tdhca.state.tx.us/pmcomp/compFaqs.htm>*
- *Ownership transfer: If you are contemplating a sale, transfer, or exchange of the Development or the structure of the owning entity, you are required to receive pre-approval from TDHCA. Procedures are outlined in the Ownership Transfer section of the Post Award Activities Manual at: <http://www.tdhca.state.tx.us/asset-management/pca-manual.htm>.*



## TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

[www.tdhca.state.tx.us](http://www.tdhca.state.tx.us)

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November 13, 2019

Writer's direct phone # (512) 475-3969  
Email: [Christopher.Alonzo@tdhca.state.tx.us](mailto:Christopher.Alonzo@tdhca.state.tx.us)

Cathy Graugnard  
Plainview Vistas, LP  
San Antonio, TX  
[tigonivllas@sandalwoodmgt.com](mailto:tigonivllas@sandalwoodmgt.com)

RE: Plainview Vistas

CMTS ID: 4073

Dear Ms. Graugnard:

The Texas Department of Housing and Community Affairs (Department) received documentation on September 27, 2019 addressing the noncompliance identified during the monitoring review conducted at Plainview Vistas on May 23, 2019. Corrective action was due on September 30, 2019.

The documentation submitted was sufficient to correct the noncompliance related to **Development failed to meet additional state required rent and occupancy restriction** affecting units: 9, 12, 17, 29, 40, 49, 51, 69, 74, **Gross rent exceeds the highest rent allowed under the LURA or other deed restriction:** affecting units 15, 34, 62, 70, 76, **Noncompliance with social service requirements, Noncompliance with utility allowance requirements described in §10.614 of this subchapter and/or Treasury Regulation 1.42-10, Noncompliance with tenant selection requirements described in §10.610 of this subchapter, and Project failed to meet minimum set aside requirement (20/50, 40/60, Average Income test):** affecting units 15, 70. Please see attached Finding Report for details.

The noncompliance related to **Noncompliance related to Affirmative Marketing requirements described in §10.617** has been dropped.

Section 42 of the Internal Revenue Code requires that the Department report all noncompliance under the Housing Tax Credit (HTC) program to the Internal Revenue Service (IRS), even if the noncompliance is corrected. Enclosed please find copies of the IRS forms 8823 (Notice of Noncompliance) that have been sent to the IRS reporting the corrected noncompliance.

If you have any questions, please contact Christopher Alonzo toll free in Texas at (800) 643-8204, directly at (512) 475-3969 or email: [Christopher.Alonzo@tdhca.state.tx.us](mailto:Christopher.Alonzo@tdhca.state.tx.us).

Sincerely,

Digitally signed  
by Chris Alonzo  
Date: 2019.11.13  
13:45:55 -06'00'

Christopher Alonzo  
Compliance Monitor





## 4. Project Proposal



## a. Project Description

Akins East is a proposed new construction multi-family, development for active seniors located at 3417 E. Martin Luther King Jr. Blvd. The development will be comprised of one multistory elevator served building, which will house most of the amenity space, and three, six-plex single story buildings. The development site is approximately 6.27 acres, with several heritage trees that will enhance natural beauty of the site.

Akins East will serve active seniors aged 55 and older at 30%, 50%, 60% average median income levels. Akins East will also feature several market rate units to serve. We will be providing various services to our residents such as: Notary services, tax preparations, health screenings, arts and crafts, and writing classes. We will also be providing a total of 14 fully accessible units for persons with mobility, sight or hearing disabilities, and 100% of the units can be adapted to accessible units. 4 of the units will be provided for Continuum of care and 4 of the units will be sensory impairment units.

Akins East falls within The East MLK Combined Neighborhood Plan which aims to accomplish a wide variety of goals that we believe Akins East will accomplish including but not limited to: Providing housing that helps maintain social and economic diversity of residents; Promoting development and enhancement of the neighborhood's major corridors; Promoting neighborhood friendly systems of transportation; Creating green spaces; and increasing the use of recreational amenities.

The total development cost of the project will be \$33,566,251. We will be requesting a total of \$3,500,000 of AHFC/RHDA funds to assist us in the development efforts. The remaining sources will be a \$21,910,000 in permanent debt, \$698,717 deferred developer fee, \$381,656 in S.M.A.R.T. Housing fee waivers, and \$13,948,600 of equity.

Akins East will meet S.M.A.R.T. Housing requirements by: Providing mixed-income housing by including dwelling units that are affordable for the required affordability period; Providing accessibility of more than three dwelling units by providing at least 10 percent of the dwelling units that comply with the accessibility requirements of the City's building code; Providing measures of a place's ease of access for people with disabilities; and location within a one-half mile walking distance of a local public transit route.



## b. Market Assessment

# A Market Study of: AKINS EAST

3417 E. Martin Luther King  
Austin, Travis County, Texas 78721

Market Assessment: The Market Study Provided by Novogradac is provided and the following evaluations are considered. Please see page information below for further detail.

- i. Evaluate general demographic, economic, and housing conditions in the community, including:
  1. Identifying the target population(s) of the development, and area demographic makeup – Page 26
  2. Evaluating overall economic conditions and trends – Page 18
  3. General housing conditions and trends in the community – Pages 39-45
- ii. Identify the geographic area – Pages 8-14
- iii. Quantify the pool of eligible tenants – Page 105
- iv. Analyze the competition – Page 45
- v. Assess the market demand – Page 113
- vi. Evaluate the effective demand and the capture rate – Page 112
- vii. Estimate the absorption period – Page 89



**A MARKET STUDY OF:**

# **AKINS EAST**

## **A MARKET STUDY OF:**

# **AKINS EAST**

**3417 E. Martin Luther King Jr Boulevard  
Austin, Travis County, Texas 78721**

**Effective Date: Marh 2, 2020  
Report Date: March 26, 2020**

**Prepared for:  
Katie Cutler  
HTG Texas Developer, LLC  
3225 Aviation Avenue, 6<sup>th</sup> Floor  
Coconut Grove, FL 33133**

**And**

**Texas Department of Housing & Community Affairs (TDHCA)  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701**

**Prepared by:  
Novogradac Consulting LLP  
6060 North Central Expressway, Fifth Floor  
Dallas, TX 75206**





March 26, 2020

Katie Cutler  
HTG Texas Developer, LLC  
3225 Aviation Avenue, 6th Floor  
Coconut Grove, FL 33133

And

Texas Department of Housing & Community Affairs (TDHCA)  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701

Re: Market Study for Akins East  
Located at 3417 E. Martin Luther King Jr Boulevard  
Austin, Travis County, TX 78721

Dear Ms. Cutler:

At your request, Novogradac Consulting LLP has performed a study of the rental market in the Austin, Travis County, Texas area relative to the above-referenced proposed new construction Low Income House Tax Credit (LIHTC)/market rate project known as Akins East (Subject).

The purpose of this market study is to assess the viability of the Subject, a proposed 181-unit senior (55+) LIHTC/market rate new construction multifamily development. Of the Subject's 181 one and two-bedroom units, 15 unit will be restricted to households earning 30 percent of the area median income (AMI), or less, 56 units will be restricted to households earning 50 percent of the AMI, or less, 72 units will be restricted to households making 60 percent of the AMI, or less, and 36 units will be unrestricted, market rate units.

The following report provides support for the findings of the study and outlines the sources of information and the methodologies used to arrive at these conclusions. Houston Leifester inspected the Subject site on March 2, 2020; this serves as the effective date of this report. The scope of this report includes the following:

- Inspection of the Subject, Comparable Properties and Neighborhood
- Project Description
- Delineation of the Market Area(s)
- Market Area Economy and Demographic Summary
- A Competitive Rental Market Analysis
- Demand Analysis
- Recommendations/Conclusions
- Photographs
- Market Analyst Qualifications

This report contains, to the fullest extent possible and practical, explanations of the data, reasoning, and analyses that were used to develop the opinions contained herein. The depth of discussion contained in the report is specific to the needs of the client and the requirements of the TDHCA. The report and the conclusions are subject to the *Assumptions and Limiting Conditions* attached.

The National Council of Housing Market Analysts (NCHMA) is a professional organization chartered to promote the development of high quality market analysis for the affordable housing industry. Novogradac is a charter member of this organization. NCHMA has compiled model content standards for market studies. This report generally conforms to those standards. Any slight modifications or departures from those standards are considered incidental and result from client specific needs. Additionally, Novogradac is an approved Qualified Market Analyst as defined by THDCA.

HTG Texas Developer, LLC is the client of this report and TDHCA is granted full authority to rely on the findings of the report. Novogradac Consulting LLP is a disinterested party and will not materially benefit from the Development in any other way than receiving a fee for performing the Market Analysis, and the fee is in no way contingent upon the outcome of the Market Analysis.

The authors of this report certify that we are not part of the development team, owner of the Subject property, general contractor, nor are we affiliated with any member of the development team engaged in the development of the Subject property or the development's partners or intended partners. All persons who have a property interest in this report hereby must acknowledge that the Department may publish the full report on the Department's website, release the report in response to a request for public information and make other use of the report as authorized by law. All persons signing this report have read and understand the requirements of the Texas Department of Housing and Community Affairs (TDHCA) 2020 Real Estate Analysis Rules and Guidelines, which are the most recent available, particularly Section 11.303. Any person signing this Report acknowledges that the Department may publish the full report on the Department's website, release the report in response to a request for public information and make other use of the report as authorized by law.

Please do not hesitate to contact us if there are any questions regarding the report or if Novogradac Consulting LLP can be of further assistance. It has been our pleasure to assist you with this assignment.

Respectfully submitted,  
Novogradac Consulting LLP



Rebecca S. Arthur, MAI  
Partner  
Rebecca.Arthur@novoco.com  
913-312-4615



Lawson Short  
Manager  
Lawson.Short@novoco.com  
214-236-0750



Houston Leifester  
Senior Analyst  
Houston.Leifester@novoco.com  
254-423-1086

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# **I. SUMMARY SHEET**

**MARKET ANALYSIS SUMMARY**

Provider: Novogradac Consulting LLP Date: 3/2/2020  
 Contact: Houston Leifester Phone: 254-423-1086  
 Development: Akins East Target Population: senior  
 Definition of Elderly Age: 55  
 Site Location: 3417 E. Martin Luther King Jr. Boulevard City: Austin County: Travis  
 Site Coordinates: Latitude 30.282909 Longitude -97.6977131 (decimal degree format)

**Primary Market Area (PMA) page 14**  
17.6 Square Miles

**CENSUS TRACTS**

484530003.06	484530008.03	484530021.05	484530021.10		
484530003.07	484530008.04	484530021.06	484530021.11		
484530004.02	484530009.01	484530021.07	484530021.12		
484530008.01	484530009.02	484530021.08	484530021.13		
484530008.02	484530021.04	484530021.09	-		

**ELIGIBLE HOUSEHOLDS BY INCOME page 109**

HH Size		1	2	3	4	5	6	7+
20% AMGI	Min							
	Max							
30% AMGI	Min	\$12,768	\$12,768	\$15,336	\$15,336			
	Max	\$19,890	\$22,710	\$25,560	\$28,380			
40% AMGI	Min							
	Max							
50% AMGI	Min	\$21,288	\$21,288	\$25,560	\$25,560			
	Max	\$33,150	\$37,850	\$42,600	\$47,300			
60% AMGI	Min	\$25,560	\$25,560	\$30,672	\$30,672			
	Max	\$39,780	\$45,420	\$51,120	\$56,760			
70% AMGI	Min							
	Max							
80% AMGI	Min							
	Max							

**AFFORDABLE HOUSING INVENTORY in PMA page 44**

	# Developments	Total Units	Avg Occupancy
All LIHTC Developments	30	3,814	98.3%

**Proposed, Under Construction, and Unstabilized Comparable Developments in PMA**

TDHCA #	Development	Status	Type	Target Population	Comp Units	Total Units	Occupancy
18448	RBJ Phase I	under const	new const	senior	279	279	n/a
19429	Govalle Terrace	approved	new const	general	0	97	n/a
19239	Talavera Lofts	approved	new const	general	0	92	n/a
19295	The Abali	approved	new const	general	0	56	n/a
18335	Travis Flats	under const	new const	general	0	146	n/a
18081	Pathways at Chalmers Courts East	under const	rehab	general	0	156	n/a
16433	Terrace at Oak Springs	under const	new const	general	0	50	n/a

**Other Affordable Developments in PMA**

TDHCA #	Development	Status	Type	Target Population	Comp Units	Total Units	Occupancy	*
01424	Primrose of Shadow Creek	in service	new const	senior	174	174	n/a	
03001	Heritage Pointe	in service	new const	senior	192	192	98%	
10002	Wildflower Terrace	in service	new const	senior	170	170	98%	
17412	Pathways at Gaston Place	in service	rehab	senior	0	100	100%	
91108	Scattered Coop Infill Housing	in service	rehab	general	0	26	n/a	
94126	Arrowhead Park Apartments	in service	new const	general	0	290	n/a	
94131	Springhollow Apartments	in service	new const	general	0	99	n/a	
96152	Timbers	in service	new const	general	0	104	100%	
01027	Springdale Estates	in service	new const	general	0	25	n/a	
060101	La Vista de Guadalupe	in service	new const	general	0	22	n/a	

\*Check box if this development is included in the calculation of the average physical occupancy to qualify for the 15% GCR for Tax-Exempt Bond Developments per §10.302(j)(1). Attach a PMA map, with affordable developments labeled, showing the 20 minute drive time ring. \*See footnote 1

Average occupancy of affordable housing in 20 minute drive time ring.	n/a	%
---	-----	---

Other Affordable Developments in PMA (continued)								
TDHCA #	Development	Status	Type	Target Population	Comp Units	Total Units	Occupancy	*
18401	Pathways at Chalmers Courts South	in service	new const	general	0	86	n/a	
16434	thinkEAST Apartments	in service	new const	general	0	182	n/a	
15410	Aldrich 51	in service	new const	general	0	240	n/a	
15408	The Reserve at Springdale	in service	new const	general	0	292	n/a	
09130	M Station	in service	new const	general	0	150	n/a	
04003	Villas on Sixth Street	in service	new const	general	0	160	n/a	
N/A	The Jordan at Mueller	in service	new const	general	0	132	n/a	
18420	Walnut Creek Apartments	in service	rehab	general	0	98	n/a	
10400	Elm Ridge Apartments	in service	rehab	general	0	130	n/a	
N/A	RBJ Tower	in service	rehab	senior	0	250	n/a	
N/A	Pathways at Booker T. Washington Terraces	in service	new const	general	0	216	n/a	
16433	Oak Springs Villas	in service	new const	general	0	50	n/a	
N/A	Manor House	in service	new const	general	0	11	n/a	
N/A	Marshall Apartments	in service	new const	general	0	100	n/a	
N/A	Mount Carmel Village	in service	new const	general	0	100	n/a	
N/A	Lupine Terrace	in service	new const	general	0	140	n/a	
N/A	Springdale Gardens	in service	new const	general	0	100	n/a	
N/A	Franklin Gardens	in service	new const	general	0	22	n/a	
N/A	Rosewood Senior Gardens	in service	new const	senior	0	53	n/a	
N/A	East 12th Street Apartments	in service	new const	general	0	11	n/a	



Note: For developments targeting Seniors, fill in Population and Household data for both the General population and the Senior population

**PMA DEMOGRAPHIC DATA**

	GENERAL			SENIORS		
	current year	place-in-service	five year	current year	place-in-service	five year
	2019	2022	2024	2019	2022	2024
<b>Population p. 26</b>	82,812	89,341	92,857	17,748	19,757	20,838
<b>Households p. 27</b>						
Total HH	31,773	34,421	35,847	10,465	12,136	13,035
Renter HH	16,859	18,661	19,632	3,905	4,667	5,077
Homeowner HH	14,914	15,760	16,215	6,560	7,469	7,958

<b>DEMAND CALCULATION p. 107</b>		Total Households	
Program Only Restricted Units	145	Assisted Units	11,310
Unstabilized Comparable Units	199		
<b>RELEVANT SUPPLY</b>	<b>344</b>		
Min Income	\$ 12,768		
Max Income	\$ 56,760		
Potential Demand	5,205		
10% External Demand	520	0	
Other Demand	0		
<b>GROSS DEMAND</b>	<b>5,725</b>		
<b>RELEVANT SUPPLY / GROSS DEMAND = GROSS CAPTURE RATE</b>			<b>6.0%</b>

<b>CAPTURE RATE BY AMGI BAND p. 114</b>					
AMGI Band Capture Rates	Demand	10% External Demand	Subject Units	Comp Units	Capture Rate
20% AMGI		0			
30% AMGI	1342	134	15	0	1.0%
40% AMGI		0			
50% AMGI	841	84	58	43	10.9%
60% AMGI	1,750	175	72	156	11.8%
70% AMGI		0			
80% AMGI		0			

<b>CAPTURE RATE BY UNIT p. 113</b>				<b>PROPOSED RENT</b>		<b>p. 105</b>	<b>DEMAND by UNIT TYPE p. 113</b>				
AMGI Level	Beds	Baths	Size (sqft)	Gross	Net	MARKET RENT	Demand	10% External Demand	Subject Units	Comp Units	Unit Capture Rate
30%	1	1	725 - 1,125	\$532	\$478	\$1,700 - \$1,975	1,062	106	8	0	0.7%
30%	2	2	1,062 - 1,475	\$639	\$568	\$2,100 - \$2,450	281	28	7	0	2.3%
50%	1	1	725 - 1,125	\$887	\$833	\$1,700 - \$1,975	561	56	38	39	12.5%
50%	2	2	1,062	\$1,065	\$994	\$2,100	280	28	20	4	7.8%
60%	1	1	725 - 1,125	\$1,065	\$1,011	\$1,700 - \$1,975	1,282	128	33	148	12.8%
60%	2	2	1,062-1,153	\$1,278	\$1,207	\$2,100 - \$2,175	468	47	39	8	9.1%
MKT	1	1	725 - 1,125	\$1,065	\$1,065	\$1,700 - \$1,975	3,957	396	23	23	1.1%
MKT	2	2	1,100 - 1,475	\$1,278	\$1,278	\$2,150 - \$2,450	1,270	127	13	15	2.0%
							0				
							0				
							0				
							0				
							0				
							0				
							0				
							0				

Footnotes:  
 1 This is only required for developments that will utilize the 15% GCR for Tax-Exempt Bond Developments rule § 11.302(f)(1).  
 2 Program only restricted units include HTC and MDL restricted units. Assisted units include any unit that has a RAD, Section 8, PHU, or PBV associated with them.

## **II. ASSUMPTIONS AND LIMITING CONDITIONS**

## ASSUMPTIONS AND LIMITING CONDITIONS

1. In the event that the client provided a legal description, building plans, title policy and/or survey, etc., the consultant has relied extensively upon such data in the formulation of all analyses.
2. The legal description as supplied by the client is assumed to be correct and the author assumes no responsibility for legal matters, and renders no opinion of property title, which is assumed to be good and merchantable.
3. All encumbrances, including mortgages, liens, leases, and servitudes, were disregarded in this valuation unless specified in the report. It was recognized, however, that the typical purchaser would likely take advantage of the best available financing, and the effects of such financing on property value were considered.
4. All information contained in the report which others furnished was assumed to be true, correct, and reliable. A reasonable effort was made to verify such information, but the author assumes no responsibility for its accuracy.
5. The report was made assuming responsible ownership and capable management of the property.
6. The sketches, photographs, and other exhibits in this report are solely for the purpose of assisting the reader in visualizing the property. The author made no property survey, and assumes no liability in connection with such matters. It was also assumed there is no property encroachment or trespass unless noted in the report.
7. The author of this report assumes no responsibility for hidden or unapparent conditions of the property, subsoil or structures, or the correction of any defects now existing or that may develop in the future. Equipment components were assumed in good working condition unless otherwise stated in this report.
8. It is assumed that there are no hidden or unapparent conditions for the property, subsoil, or structures, which would render it more or less valuable. No responsibility is assumed for such conditions or for engineering, which may be required to discover such factors.
9. The investigation made it reasonable to assume, for report purposes, that no insulation or other product banned by the Consumer Product Safety Commission has been introduced into the Subject premises. Visual inspection by the consultant did not indicate the presence of any hazardous waste. It is suggested the client obtain a professional environmental hazard survey to further define the condition of the Subject soil if they deem necessary.
10. A valuation estimate for a property is made as of a certain day. Due to the principles of change and anticipation the value estimate is only valid as of the date of valuation. The real estate market is non-static and change and market anticipation is analyzed as of a specific date in time and is only valid as of the specified date.
11. Possession of the report, or a copy thereof, does not carry with it the right of publication, nor may it be reproduced in whole or in part, in any manner, by any person, without the prior written consent of the author particularly as to value conclusions, the identity of the author or the firm with which he or she is connected. Neither all nor any part of the report, or copy thereof shall be disseminated to the general public by the use of advertising, public relations, news, sales, or other media for public communication without the prior written consent and approval of the consultant. Nor shall the consultant, firm, or professional organizations of which the consultant is a member be identified without written consent

of the consultant.

12. Disclosure of the contents of this report is governed by the Bylaws and Regulations of the professional appraisal organization with which the consultant is affiliated: specifically, the Appraisal Institute.
13. The author of this report is not required to give testimony or attendance in legal or other proceedings relative to this report or to the Subject unless satisfactory additional arrangements are made prior to the need for such services.
14. The opinions contained in this report are those of the author and no responsibility is accepted by the author for the results of actions taken by others based on information contained herein.
16. All applicable zoning and use regulations and restrictions are assumed to have been complied with, unless nonconformity has been stated, defined, and considered in the appraisal report.
17. It is assumed that all required licenses, permits, covenants or other legislative or administrative authority from any local, state, or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
18. On all appraisals, subject to satisfactory completion, repairs, or alterations, the appraisal report and value conclusions are contingent upon completion of the improvements in a workmanlike manner and in a reasonable period of time. A final inspection and value estimate upon the completion of said improvements should be required.
19. All general codes, ordinances, regulations or statutes affecting the property have been and will be enforced and the property is not subject to flood plain or utility restrictions or moratoriums, except as reported to the consultant and contained in this report.
20. The party for whom this report is prepared has reported to the consultant there are no original existing condition or development plans that would subject this property to the regulations of the Securities and Exchange Commission or similar agencies on the state or local level.
21. Unless stated otherwise, no percolation tests have been performed on this property. In making the appraisal, it has been assumed the property is capable of passing such tests so as to be developable to its highest and best use, as detailed in this report.
22. No in-depth inspection was made of existing plumbing (including well and septic), electrical, or heating systems. The consultant does not warrant the condition or adequacy of such systems.
23. No in-depth inspection of existing insulation was made. It is specifically assumed no Urea Formaldehyde Foam Insulation (UFFI), or any other product banned or discouraged by the Consumer Product Safety Commission has been introduced into the appraised property. The consultant reserves the right to review and/or modify this appraisal if said insulation exists on the Subject.
24. Acceptance of and/or use of this report constitute acceptance of all assumptions and the above conditions. Estimates presented in this report are not valid for syndication purposes.

## **III. PROJECT DESCRIPTION**

## PROJECT DESCRIPTION

### DESCRIPTION OF THE SITE

The location of an apartment community can have a substantial negative or positive impact upon the performance, safety, and appeal of the project. The following site description will discuss the physical features of the site, as well as the layout, access issues, and traffic flow.

**Identification:** Akins East (Subject) will be located at 3417 E. Martin Luther King Jr Boulevard in Austin, Travis County, Texas 78721. According to the Travis County Assessor’s office, the Subject site is identified by a portion of Assessor’s Parcel Number (APN) 204502. The development site is currently part of a larger parcel owned by and partially developed with St. James Missionary Baptist Church. The Subject site is located in Census Tract 484530021.09, which is a 2020 Qualified Census Tract. The Subject consists of undeveloped, vacant wooded land, and is accessible via the south side of E. Martin Luther King Jr Boulevard, as well as at the northern terminus of E. 17<sup>th</sup> Street.

**Site Location:** The image on the following page was taken from Google Earth and details the boundaries of the Subject site.



Source: Google Earth, March 2020

- Shape/Size:** The Subject site is irregular in shape. According to the developer, the Subject site is 6.27 acres, or approximately 273,121 square feet.
- Zoning:** The Subject site is zoned SF-6-CO-NP, townhouse and condominium residence, and has qualified for the City of Austin's Affordability Unlocked Bonus Program. The 'Affordability Unlocked' Development Bonus Program waives or modifies some development restrictions in exchange for providing low and moderate-income housing. In return for setting aside at least half of a development's total units as affordable, bonuses include height and density increases, parking and compatibility waivers, and reductions in minimum lot sizes. Based on our understanding of Austin's Affordability Unlocked program, developments with the designation are not required to comply with Residential Design and Compatibility Standards except to maintain side setbacks as required by the base zoning district. As proposed, the Subject site will be developed to a density of approximately 28.9 units per acre. Based on our understanding of Austin's zoning ordinance and the Affordability Unlocked program, as well as the fact that the Subject will be required to obtain approval prior to construction, we believe the Subject represents a legal, conforming land use as proposed.
- Flood Plain:** According to the FEMA Flood Map Service, community panel number number 48453C0465K, dated January 22, 2020, the Subject site is primarily located in Zone X, an area determined to be outside 100 and 500-year floodplains. However, there is also a creek which bisects the site in the northwest/southeasterly direction, which is designated as Flood Zone A and therefore is subject to inundation by the one percent annual chance flood event. None of the improvements are proposed to be developed within Zone A. Further analysis by Novogradac is beyond the scope of this report, and we assume the Subject maintains the applicable flood insurance.
- Topography:** The site features an undulating topography and generally slopes downward to the southeast.
- Utilities:** All major utilities are available at the site, including water, sewer, gas, electricity, telephone, and cable.
- Visibility/Views:** The Subject site offers average visibility from Martin Luther King Jr Boulevard, and poor visibility from 17<sup>th</sup> Street. Views to the north of the Subject site consist of single-family homes in average to good condition. Views to the east of the Subject site consist of St. James Missionary Baptist Church in good condition, vacant, undeveloped land, and a water retention pond. Views to the south of the Subject site consist of Evergreen Cemetery and vacant, undeveloped land. Views to the west of the Subject site consist of single-family homes in fair to good condition. Overall, visibility and views are both considered average.
- Access/Traffic Flow:** The Subject site is accessed via the south side of E. Martin Luther King Jr Boulevard and the eastern terminus of E. 17<sup>th</sup> Street. E.17<sup>th</sup> Street is a lightly traveled neighborhood street. E. Martin Luther King Jr Boulevard is a heavily traveled thoroughfare that provides direct access from the Subject site to N. Lamar Boulevard and IH 35 to the west, and US 183 to the east. IH 35 is a

major north-south interstate highway running from Laredo near the United States-Mexico border through San Antonio, Austin, Waco, Dallas, and beyond. Overall, access is considered good, while traffic flow is light/moderate/heavy.

**Detrimental Influences:** We are unaware of any detrimental influences that would affect the marketability of the Subject site.

**Ownership History:** According to the Travis County Assessor's Office, current ownership the Subject parcel is vested in St. James Missionary Baptist Church. As of the date of this report, purchase agreements were not provided and the sale price is unknown.

**Conclusion:** The Subject site is considered to be in a good location for multifamily use and is physically capable of supporting a variety of legally permissible uses.



**DESCRIPTION OF THE IMPROVEMENTS**

**Property Improvements:** The Subject is a proposed 181-unit LIHTC/market rate multifamily development that will be restricted to senior (55+) households and will offer one and two-bedroom units in one four-story elevator-serviced midrise building, and three two-story eightplex townhouse-style buildings. Of the Subject’s 181 units, 145 will be restricted to households earning 30, 50, and 60 percent of the area median income (AMI) or less, while the remaining 36 units will operate as unrestricted market rate units.

**Number of Stories:** The Subject will consist of one five-story elevator-serviced mid-rise building, and three two-story eightplex townhouse-style buildings.

**Date of Construction:** The anticipated completion date for the Subject is October 2022.

**Proposed Rents:** The following table details the proposed unit mix, unit sizes, and the proposed LIHTC and market rents.

**PROPOSED RENTS**

Unit Type	Unit Size (SF)	Number of Units	Asking Rent	Utility Allowance (1)	Gross Rent	2019 LIHTC Maximum Allowable Gross Rent
@30%						
1BR / 1BA	725	7	\$478	\$54	\$532	\$532
1BR / 1BA	1,125	1	\$478	\$54	\$532	\$532
2BR / 2BA	1,062	6	\$568	\$71	\$639	\$639
2BR / 2BA	1,475	1	\$568	\$71	\$639	\$639
@50%						
1BR / 1BA	725	34	\$833	\$54	\$887	\$887
1BR / 1BA	1,125	4	\$833	\$54	\$887	\$887
2BR / 2BA	1,062	20	\$994	\$71	\$1,065	\$1,065
@60%						
1BR / 1BA	725	30	\$1,011	\$54	\$1,065	\$1,065
1BR / 1BA	1,125	3	\$1,011	\$54	\$1,065	\$1,065
2BR / 2BA	1,062	21	\$1,207	\$71	\$1,278	\$1,278
2BR / 2BA	1,100	8	\$1,207	\$71	\$1,278	\$1,278
2BR / 2BA	1,153	10	\$1,207	\$71	\$1,278	\$1,278
Market						
1BR / 1BA	725	19	\$1,065	N/A	N/A	N/A
1BR / 1BA	1,125	4	\$1,065	N/A	N/A	N/A
2BR / 2BA	1,100	8	\$1,278	N/A	N/A	N/A
2BR / 2BA	1,475	5	\$1,278	N/A	N/A	N/A
		<b>181</b>				

Notes (1) Source of Utility Allowance provided by the Developer.

As indicated in the previous table, all of the proposed LIHTC rents are set at the maximum allowable levels.

- Community Amenities:** The Subject's common area amenities will include a business center, a community room, central laundry, clubhouse/meeting room, courtyard, elevators, exercise facility, on-site manager, service coordination, swimming pool, a resident-run community garden and a theater room.
- Unit Amenities:** The Subject's unit amenities will include patios/balconies, drapes/blinds, vinyl flooring, ceiling fans, central heating and air conditioning, coat closets, grab bars, hand rails, pull cords, walk-in closets, and washer/dryer connections. Kitchen appliances will include a refrigerator with icemaker, range/oven, dishwasher, garbage disposal, and microwave.
- Resident Services:** The Subject will not offer any resident services.
- Parking:** The Subject will offer 135 garage space, 71 uncovered off-street parking spaces, and 18 carport spaces, all of which will be included in the monthly rent. This equates to a parking ratio of approximately 1.2 spaces per unit, or approximately 224 parking spaces. Given the target tenancy, the proposed number of parking spaces appears sufficient.
- Utility Structure:** Tenants will be responsible for all electric utility expenses, including electric cooking, electric water heating, electric air conditioning and heating, and general electric expenses. The landlord will be responsible for water, sewer, and trash expenses, in addition to all common area utility expenses.
- Quality of Construction & deferred Maintenance:** We assume the property will be constructed in a timely manner consistent with information provided, using good quality materials in a workmanlike manner.
- Condition:** The Subject site will be in excellent condition upon completion.
- Conclusion:** Upon completion, we anticipate that the finished product of the Subject will be superior to the majority of the existing multifamily housing stock in the market area in terms of quality. The Subject will not suffer from functional or physical obsolescence and will provide good utility for its intended use.

## **DATA SOURCES**

Sources used in this study include data that is both written and oral, published and unpublished, and proprietary and non-proprietary. Real estate developers, housing officials, local housing and planning authority employees, property managers and other housing industry participants were interviewed. In addition, we conducted a survey of existing, comparable properties.

This report incorporates published data supplied by various agencies and organizations including:

- U.S. Census Bureau
- Bureau of Labor Statistics
- Bureau of Justice Statistics
- City of Austin
- Austin Housing Authority
- Austin Housing Authority Utility Allowance Schedule
- ESRI Demographics
- Ribbon Demographics
- Department of Housing and Urban Development (HUD)
- TDHCA 2020 Market Study Requirements
- TDHCA List of Funded Projects
- [www.realtytrac.com](http://www.realtytrac.com)
- CoStar



## c. City of Austin Good Neighbor Policy



April 30, 2020

Current Resident  
East MLK Neighborhood Association  
McKinley Heights Terrace

Dear Madame or Sir,

HTG Akins, LLC is in negotiations to purchase and develop 6.28 acres of land located at 3417 E. MLK Blvd, Austin, TX 78721 (Exhibit A). The proposed development, Akins East, will be a newly constructed multifamily development for active seniors aged 55 and older. Akins East will be comprised of three, six-plex single story buildings, and one, four-story building with attached structured parking (Exhibit B).

During this time of social distancing and working from home, HTG will host several zoom meetings to listen to neighborhood concerns and answer any questions you may have. Dates and times will be sent to membership of the East MLK Neighborhood Organization, McKinley Heights Terrace, and East MLK Neighborhood Contact team.

HTG is committed to keeping all through traffic on 17<sup>th</sup> Street limited to EMS and first responders. Traffic and residents will use the MLK access point which will be shared with the St. James Baptist Church. Additionally, we are in the process of identifying a forensic consultant to survey the site for any unmarked graves that may exist.

Our goal is to keep neighbors and stakeholders up to date on any and all development progress. If you have any questions about the process, or what is being proposed, please feel free to contact me directly at [valentind@htgf.com](mailto:valentind@htgf.com) or 512-417-0985.

Sincerely,

*Valentin DeLeon*



**Valentin DeLeon**

Vice President of Development, Texas

[valentind@htgf.com](mailto:valentind@htgf.com)

O 786.536.9104 | D 512.417.0985

**Texas** 7035 Bee Caves Road | Suite 203

Austin, TX 78745

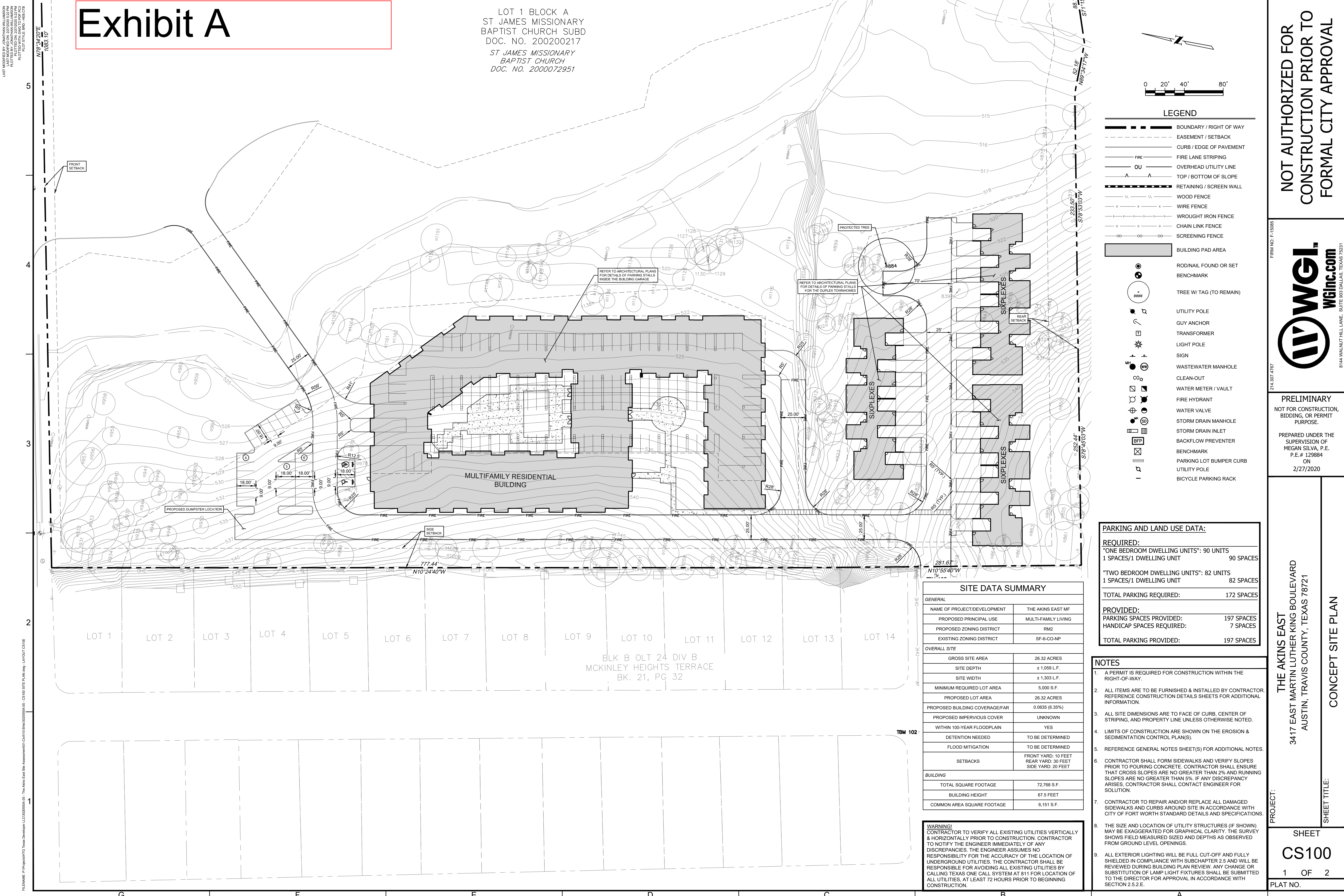
**Florida** 3225 Aviation Avenue | 6th Floor

Coconut Grove, FL 33133

Enclosures

# Exhibit A

LOT 1 BLOCK A  
ST JAMES MISSIONARY  
BAPTIST CHURCH SUBD  
DOC. NO. 200200217  
ST JAMES MISSIONARY  
BAPTIST CHURCH  
DOC. NO. 2000072951



**LEGEND**

- BOUNDARY / RIGHT OF WAY
- - - EASEMENT / SETBACK
- CURB / EDGE OF PAVEMENT
- FIRE LANE STRIPING
- OU OVERHEAD UTILITY LINE
- ▲ TOP / BOTTOM OF SLOPE
- RETAINING / SCREEN WALL
- WOOD FENCE
- x x x x WIRE FENCE
- o o o o WROUGHT IRON FENCE
- o o o o CHAIN LINK FENCE
- o o o o SCREENING FENCE
- BUILDING PAD AREA
- ROD/NAIL FOUND OR SET
- BENCHMARK
- TREE W/ TAG (TO REMAIN)
- UTILITY POLE
- GUY ANCHOR
- TRANSFORMER
- LIGHT POLE
- SIGN
- WASTEWATER MANHOLE
- CLEAN-OUT
- WATER METER / VAULT
- FIRE HYDRANT
- WATER VALVE
- STORM DRAIN MANHOLE
- STORM DRAIN INLET
- BACKFLOW PREVENTER
- BENCHMARK
- PARKING LOT BUMPER CURB
- UTILITY POLE
- BICYCLE PARKING RACK

**PARKING AND LAND USE DATA:**

<b>REQUIRED:</b>	
"ONE BEDROOM DWELLING UNITS": 90 UNITS	90 SPACES
1 SPACES/1 DWELLING UNIT	
<b>"TWO BEDROOM DWELLING UNITS": 82 UNITS</b>	
1 SPACES/1 DWELLING UNIT	82 SPACES
<b>TOTAL PARKING REQUIRED:</b>	<b>172 SPACES</b>
<b>PROVIDED:</b>	
PARKING SPACES PROVIDED:	197 SPACES
HANDICAP SPACES REQUIRED:	7 SPACES
<b>TOTAL PARKING PROVIDED:</b>	<b>197 SPACES</b>

**SITE DATA SUMMARY**

GENERAL	
NAME OF PROJECT/DEVELOPMENT	THE AKINS EAST MF
PROPOSED PRINCIPAL USE	MULTI-FAMILY LIVING
PROPOSED ZONING DISTRICT	RM2
EXISTING ZONING DISTRICT	SF-6-CO-NP
OVERALL SITE	
GROSS SITE AREA	26.32 ACRES
SITE DEPTH	± 1,059 L.F.
SITE WIDTH	± 1,303 L.F.
MINIMUM REQUIRED LOT AREA	5,000 S.F.
PROPOSED LOT AREA	26.32 ACRES
PROPOSED BUILDING COVERAGE/FAR	0.0635 (6.35%)
PROPOSED IMPERVIOUS COVER	UNKNOWN
WITHIN 100-YEAR FLOODPLAIN	YES
DETENTION NEEDED	TO BE DETERMINED
FLOOD MITIGATION	TO BE DETERMINED
SETBACKS	FRONT YARD: 10 FEET REAR YARD: 30 FEET SIDE YARD: 20 FEET
BUILDING	
TOTAL SQUARE FOOTAGE	72,768 S.F.
BUILDING HEIGHT	67.5 FEET
COMMON AREA SQUARE FOOTAGE	6,151 S.F.

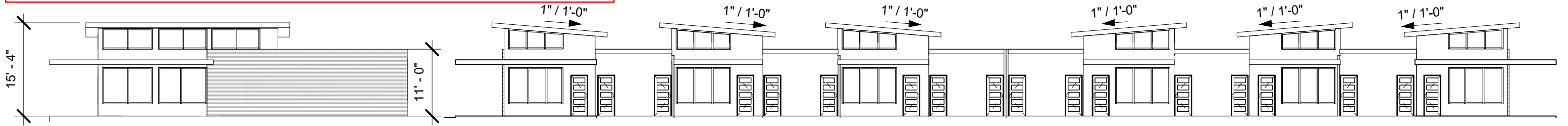
**WARNING!**  
CONTRACTOR TO VERIFY ALL EXISTING UTILITIES VERTICALLY & HORIZONTALLY PRIOR TO CONSTRUCTION. CONTRACTOR TO NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE LOCATION OF UNDERGROUND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR AVOIDING ALL EXISTING UTILITIES BY CALLING TEXAS ONE CALL SYSTEM AT 811 FOR LOCATION OF ALL UTILITIES, AT LEAST 72 HOURS PRIOR TO BEGINNING CONSTRUCTION.

- NOTES**
- A PERMIT IS REQUIRED FOR CONSTRUCTION WITHIN THE RIGHT-OF-WAY.
  - ALL ITEMS ARE TO BE FURNISHED & INSTALLED BY CONTRACTOR. REFERENCE CONSTRUCTION DETAILS SHEETS FOR ADDITIONAL INFORMATION.
  - ALL SITE DIMENSIONS ARE TO FACE OF CURB, CENTER OF STRIPING, AND PROPERTY LINE UNLESS OTHERWISE NOTED.
  - LIMITS OF CONSTRUCTION ARE SHOWN ON THE EROSION & SEDIMENTATION CONTROL PLAN(S).
  - REFERENCE GENERAL NOTES SHEET(S) FOR ADDITIONAL NOTES.
  - CONTRACTOR SHALL FORM SIDEWALKS AND VERIFY SLOPES PRIOR TO POURING CONCRETE. CONTRACTOR SHALL ENSURE THAT CROSS SLOPES ARE NO GREATER THAN 2% AND RUNNING SLOPES ARE NO GREATER THAN 5%. IF ANY DISCREPANCY ARISES, CONTRACTOR SHALL CONTACT ENGINEER FOR SOLUTION.
  - CONTRACTOR TO REPAIR AND/OR REPLACE ALL DAMAGED SIDEWALKS AND CURBS AROUND SITE IN ACCORDANCE WITH CITY OF FORT WORTH STANDARD DETAILS AND SPECIFICATIONS.
  - THE SIZE AND LOCATION OF UTILITY STRUCTURES (IF SHOWN) MAY BE EXAGGERATED FOR GRAPHICAL CLARITY. THE SURVEY SHOWS FIELD MEASURED SIZES AND DEPTHS AS OBSERVED FROM GROUND LEVEL OPENINGS.
  - ALL EXTERIOR LIGHTING WILL BE FULL CUT-OFF AND FULLY SHIELDED IN COMPLIANCE WITH SUBCHAPTER 2.5 AND WILL BE REVIEWED DURING BUILDING PLAN REVIEW. ANY CHANGE OR SUBSTITUTION OF LAMP LIGHT FIXTURES SHALL BE SUBMITTED TO THE DIRECTOR FOR APPROVAL IN ACCORDANCE WITH SECTION 2.5.2.E.

NOT AUTHORIZED FOR CONSTRUCTION PRIOR TO FORMAL CITY APPROVAL  
 PRELIMINARY NOT FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE.  
 PREPARED UNDER THE SUPERVISION OF MEGAN SILVA, P.E. P.E.# 129884 ON 2/27/2020  
 THE AKINS EAST 3417 EAST MARTIN LUTHER KING BOULEVARD AUSTIN, TRAVIS COUNTY, TEXAS 78721  
 CONCEPT SITE PLAN  
 SHEET CS100 1 OF 2  
 PLAT NO.

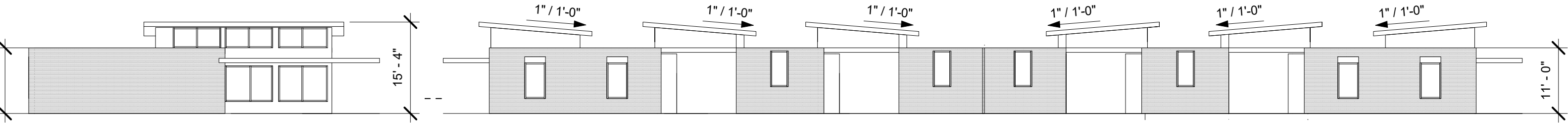
LAST MODIFIED: 02/27/2020 11:54:30 AM  
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 PLOTTED WITH DWG TO PDF ICS  
 PLOT STYLE: BW.ctb  
 FILENAME: P:\Projects\170\_Texas Developer LLC\20200400\_The Akins East\_Site Assessment\01\_Civil\Site Plan\170\_Akins East\_Site Plan.dwg LAYOUT CS100

# Exhibit B



**5 SIDE ELEVATION 1 - 6 PLEX**  
1/16" = 1'-0"

**2 FRONT ELEVATION - 6 PLEX**  
1/16" = 1'-0"

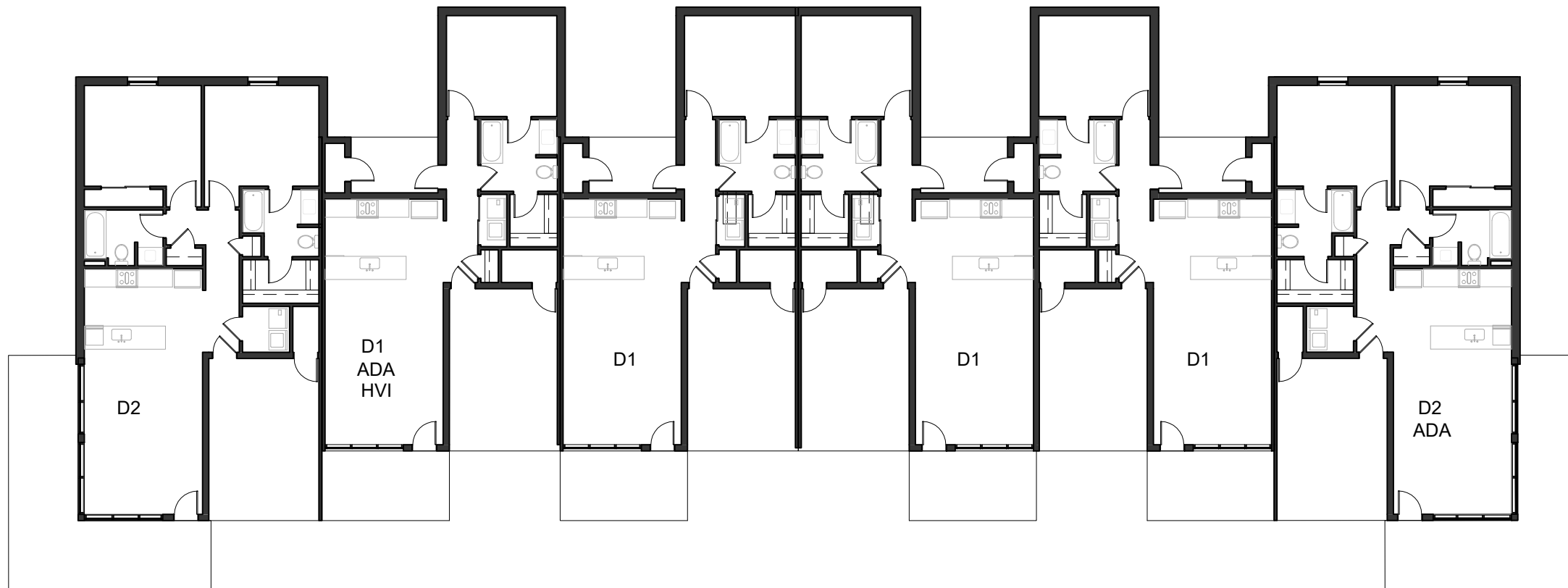


**7 SIDE ELEVATION 2 - 6 PLEX**  
1/16" = 1'-0"

**6 BACK ELEVATION - 6 PLEX**  
1/16" = 1'-0"

ROOF SLOPE 1/4"/1' UNLESS OTHERWISE NOTED.

**MATERIALS:** 47% MASONRY  
53% CEMENT BOARD

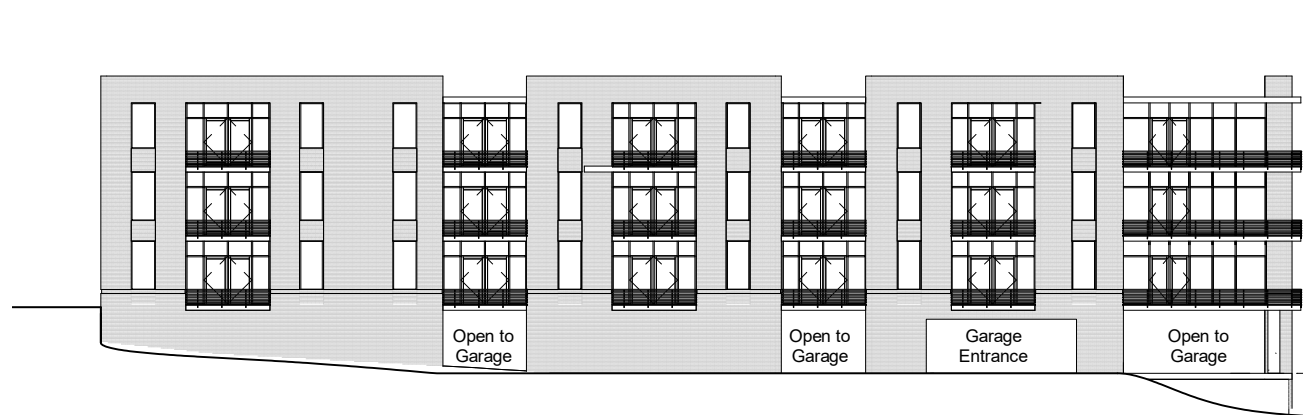


**1 FLOOR PLAN - 6 PLEX**  
1/16" = 1'-0" Ref: 3 / A301

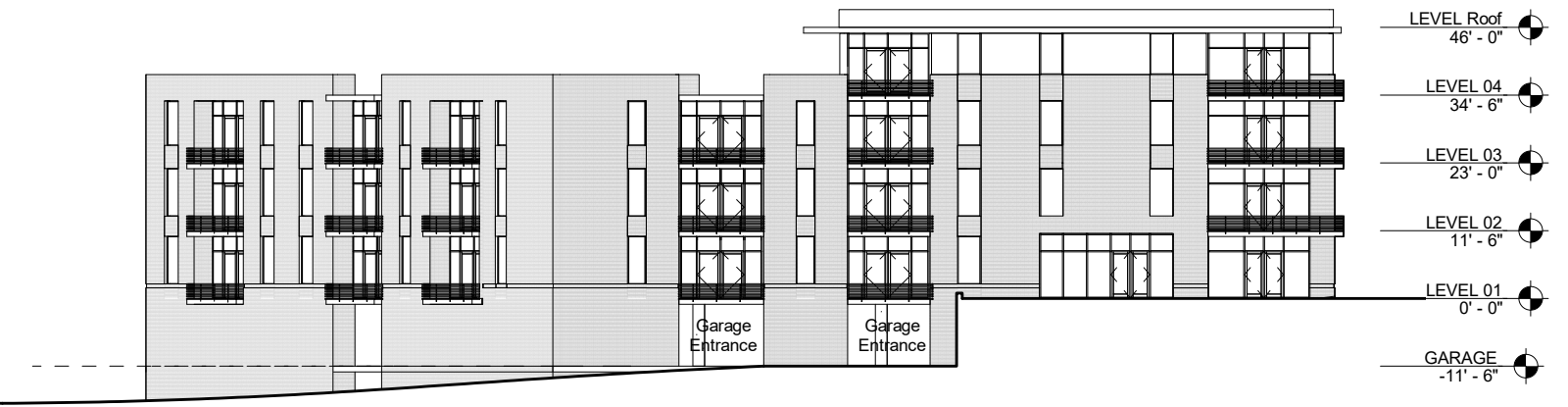
NOTE: ONLY ONE 6 PLEX HAS ADA UNITS

UNIT MIX	
TYPE	NO.
<b>1 BED</b>	
D1	11
D1-ADA/HVI	1
<b>2 BED</b>	
D2	5
D2-ADA	1
<b>TOTAL</b>	<b>18</b>

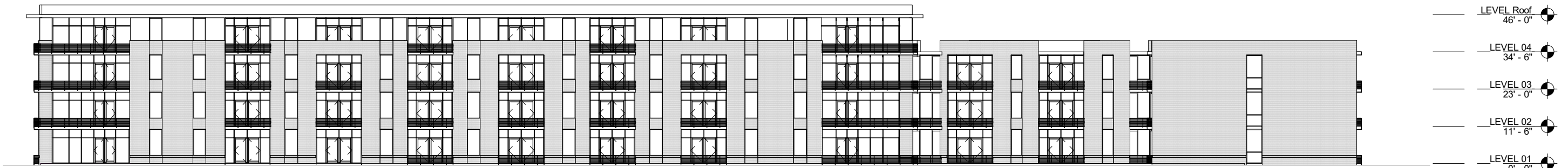
6 PLEX SF		
RENTABLE AREA	5,818 sf	(x)3 17,454 sf
UNIT PORCH	1,400 sf	4200 sf
PARKING	1,420 sf	4260 sf
<b>TOTAL</b>	<b>8,638 sf</b>	<b>25,914 sf</b>



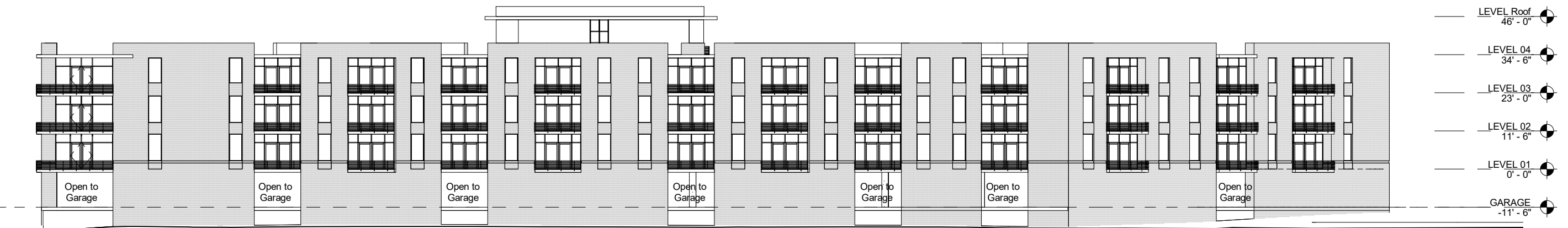
**1 SOUTH ELEVATION**  
1/32" = 1'-0"



**4 NORTH ELEVATION**  
1/32" = 1'-0"



**2 WEST ELEVATION**  
1/32" = 1'-0"



**3 EAST ELEVATION**  
1/32" = 1'-0"

ROOF SLOPE 1/4"/1' UNLESS OTHERWISE NOTED.

**MATERIALS:** 85% MASONRY  
15% CEMENT BOARD



Akins East falls within The East MLK Combined Neighborhood Plan. HTG has reviewed the neighborhood plan and the plan goals. We believe Akins East will address the following stated goals of the plan: Providing housing that helps maintain social and economic diversity of residents; Promoting development and enhancement of the neighborhood's major corridors; Promoting neighborhood friendly systems of transportation; Creating green spaces; and increasing the use of recreational amenities.

## **Outreach**

During the Tax Credit application cycle, the following Neighborhood Organizations were notified of the intent to apply for housing tax credits; The East MLK Combined Neighborhood Contact Team, East MLK Neighborhood Association, and the East Austin Conservancy. Public notifications were sent in January 2020.

We have been in direct contact with The East MLK Combined Neighborhood Plan, East MLK Neighborhood Association, and recently the McKinley Heights Terrace neighborhood about Akins East. Unfortunately, the recent COVID-19 restrictions have prevented direct contact with neighborhood groups, however we are in the process of coordinating several Zoom meetings with interested stakeholders and neighbors to address any concerns and answer any questions.

We have already worked with the neighbors on our site plan with regard to the traffic flow on 17<sup>th</sup> street. Pending site plan approval, we will ensure the 17<sup>th</sup> street entrance is reserved for emergency and first responder vehicles.

Additionally, HTG is in the process of identifying and engaging a forensic survey of the site to identify any unmarked graves that may exist on the site near the Evergreen Cemetery.

## **Collaboration**

The purpose and intent of the coordinated Zoom meetings is to engage community stakeholders and collaborate on what Akins East will look and feel like. Akins East intends to fit into the fabric of the existing community and hopefully allow aging seniors the choice to age in place.



---

January 10, 2020

Mr. Jon Hagar  
Chairman  
East MLK Combined Neighborhood Plan Contact Team  
5113 Provincial Drive  
Austin, TX 78724

Dear Mr. Hagar,

HTG Akins, LLC is making an application for Competitive 9% Housing Tax Credits and Multifamily Direct Loan Funds with the Texas Department of Housing and Community Affairs for Akins East, 3417 East MLK Blvd. Austin, TX 78721, Travis County. This proposed New Construction apartment community will be comprised of approximately 180 units of which 144 will be for low-income tenants. The residential density of the Development, i.e., the number of Units per acre is approximately 29.

In the spring, the Department will hold public hearings in various locations around the state to gather input on Competitive Housing Tax Credit applications. The hearing schedule along with contact information for written public comment will be posted on TDHCA's [Public Comment Center](#) website later this year.

An interested party or Neighborhood Organization can provide comments on any and all applications at each hearing, or can provide written comments to the Department by email at [HTCPC@mail.tdhca.state.tx.us](mailto:HTCPC@mail.tdhca.state.tx.us), or by mail at:

Texas Department of Housing and Community Affairs  
Public Comment - Multifamily Finance Division  
P.O. Box 13941  
Austin, Texas 78711-3941

Note that in order for input on Competitive Housing Tax Credit applications to be included in the materials relating to presentation for awards to be provided to the Governing Board of the Texas Department of Housing and Community Affairs; such input must be received by the Department by 5:00 p.m., Austin local time, on June 19, 2020.

Sincerely,

Matthew Rieger  
Representative of HTG Akins, LLC, Manager  
[mattr@htgf.com](mailto:mattr@htgf.com)  
305-860-8188



---

January 10, 2020

Mrs. Melonie F. Dixon  
President  
Martin Luther King Neighborhood Association  
1602 Astor Place  
Austin, TX 78721

Dear Mrs. Dixon,

HTG Akins, LLC is making an application for Competitive 9% Housing Tax Credits and Multifamily Direct Loan Funds with the Texas Department of Housing and Community Affairs for Akins East, 3417 East MLK Blvd. Austin, TX 78721, Travis County. This proposed New Construction apartment community will be comprised of approximately 180 units of which 144 will be for low-income tenants. The residential density of the Development, i.e., the number of Units per acre is approximately 29.

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Texas Department of Housing and Community Affairs  
Public Comment - Multifamily Finance Division  
P.O. Box 13941  
Austin, Texas 78711-3941

Note that in order for input on Competitive Housing Tax Credit applications to be included in the materials relating to presentation for awards to be provided to the Governing Board of the Texas Department of Housing and Community Affairs; such input must be received by the Department by 5:00 p.m., Austin local time, on June 19, 2020.

Sincerely,

Matthew Rieger  
Representative of HTG Akins, LLC, Manager  
[mattr@htgf.com](mailto:mattr@htgf.com)  
305-860-8188



d. S.M.A.R.T. Housing

# City of Austin



P.O. Box 1088, Austin, TX 78767  
[www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

## Neighborhood Housing and Community Development Department

February 24, 2020

S.M.A.R.T. Housing Certification  
HTG Akins, LLC – Akins East (Project ID 694)

To Whom It May Concern:

HTG Akins, LLC - (development contact: Val DeLeon: 786.536.9104 (m); [valentind@htgf.com](mailto:valentind@htgf.com)) is planning to develop a **181-unit, multi-family** development at 3517 E ML King Blvd, Austin TX 78721, Travis County Appraisal District Property ID#204502. The project will be subject to a minimum 5-year affordability period after issuance of a certificate of occupancy, unless funding requirements are longer.

Neighborhood Housing and Community Development (NHCD) certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since **8%** of the units (**15 units**) will serve households at or below **30% Median Family Income (MFI)**, **32%** of the units (**58 units**) will serve households at or below **50% MFI**; **39%** of the units (**72 units**) will serve households at or below **60% MFI** and the remaining **36 units** will be market rate, the development will be eligible for **100% waiver** of all fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance except for Austin Water Utility (AWU) Capital Recovery Fees. **This development is not fully in accordance with the requirements under the Texas Local Government Code, Chapter 395.16(g) and 42 U.S.C. Section 12745 (A)(1) as it relates to how housing qualifies as affordable housing and therefore the 36 market rate units will not be eligible to receive Austin Water Utility Capital Recovery Fee (CRF) waiver.** The expected fee waivers include, but are not limited to, the following fees:

AWU Capital Recovery Fees  
Building Permit  
Concrete Permit  
Electrical Permit  
Mechanical Permit  
Plumbing Permit

Site Plan Review  
Misc. Site Plan Fee  
Construction Inspection  
Subdivision Plan Review  
Misc. Subdivision Fee  
Zoning Verification

Land Status Determination  
Building Plan Review  
Parkland Dedication (*by separate ordinance*)

### Prior to issuance of building permits and starting construction, the developer must:

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or [greenbuilding@austinenergy.com](mailto:greenbuilding@austinenergy.com)).
- ◆ Submit plans demonstrating compliance with the required accessibility standards.

### Before a Certificate of Occupancy will be granted, the development must:

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ◆ Pass a final inspection to certify that the required accessibility standards have been met.
- ◆ An administrative hold will be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter from project architect and/or

engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the after the certificate of occupancy has been issued or repay the City of Austin, in full, the fees waived for this S.M.A.R.T. Housing certification.

Please contact me by phone 512.974.3128 or by email at [Sandra.harkins@austintexas.gov](mailto:Sandra.harkins@austintexas.gov) if you need additional information.

Sincerely,

A handwritten signature in blue ink that reads "Sandra Harkins". The signature is fluid and cursive.

Sandra Harkins, Project Coordinator  
Neighborhood Housing and Community Development

Cc: Kristin Martinez, AE  
Mashell Smith, ORES

Ellis Morgan, NHCD

Jonathan Orenstein, AWU

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# Akins East

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Presented by: Housing Trust Group

Val DeLeon

Vice President of Development, Texas

[valentind@htgf.com](mailto:valentind@htgf.com)

## S.M.A.R.T. Housing™ Application for Certification

### DEPARTMENT OF NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT

#### APPLICATION FOR EXEMPTION FROM PAYMENT OF CAPITAL RECOVERY FEE, DEVELOPMENT REVIEW AND INSPECTION FEES, PARKLAND DEDICATION FEE, AND CERTAIN CONSTRUCTION INSPECTION FEES

I, the undersigned duly authorized representative of HTG Akins, LLC (the "Applicant"), the owner of the proposed residential development called Akins East (the "Development") and described in this S.M.A.R.T. Housing™ Application, do hereby make application to the Neighborhood Housing and Community Development Department (NHCD) as administrator of the City's S.M.A.R.T. Housing™ Program in accordance with the program guidelines for a total of 180 residential units to be exempted from payment of Capital Recovery Fees and other applicable fees, and I do hereby declare and represent as follows:

The Applicant intends to: Construct          Single-family units, and/or  
Construct a  unit Multi-family residential development  
to be located within the City of Austin, Texas, and desires that the City exempt the Development from payment of Capital Recovery Fees and other applicable fees in accordance with the S.M.A.R.T. Housing™ Ordinance.

The Applicant has received a copy of the S.M.A.R.T. Housing™ Guide (available at <http://www.cityofaustin.org/ahfc/smart.htm>) and having read this document, hereby agrees to comply with all terms of the rules including meeting the minimum Green Building standards, the Accessibility and Visitability standards required by the S.M.A.R.T. Housing™ Ordinance, and the Transit-Oriented standards.

The Applicant has submitted herewith a completed copy of the S.M.A.R.T. Housing™ Application. To the best of the Applicant's knowledge, the information contained therein is true and correct.

The Applicant, if awarded the exemptions, hereby agrees to execute a contract with NHCD for the receipt of the exemptions. The Contract will contain such provisions as are necessary to carry out the requirements of the Programmatic exemption included in the Land Development Code.

Before issuance of the Certificate of Exemption, the Applicant may be asked to execute an agreement and restrictive covenant, surety bond, deed of trust, promissory note, or other binding restriction on land use that preserves affordability in accordance with applicable requirements.

Please indicate the person who will on a regular basis provide income verification information to NHCD staff:

Name	Title and Organization	Phone	Email address
Val DeLeon	VP of Development, HTG	786-536-9104	valentind@htgf.com

If the unit does not meet income standards or other S.M.A.R.T. Housing™ standards, the Applicant will pay the waived fees to the respective City departments due the fees, including liquidated damages up to twice the amount of fees waived to compensate the City for administrative costs incurred and any breach that results in the loss of reasonably-priced dwelling units during the affordability period.

WITNESS MY HAND THIS 8 DAY OF January, 2020

BY: (NAME OF OWNER) Matthew Rieger

TITLE: Manager





## S.M.A.R.T. Housing™ Application for Certification

1. Name and contact information for the Applicant; i.e., the entity that currently has site control and will build the units for which exemption from payment of Capital Recovery Fees; development review and inspection fees; and certain subdivision construction inspection fees are requested (referred to hereinafter as the “Development”).

Name: <input style="width: 90%;" type="text" value="Matthew Rieger"/>	Telephone: (office) <input style="width: 90%;" type="text" value="(305) 860-8188"/> (mobile)
Organization: <input style="width: 90%;" type="text" value="HTG Akins, LLC"/>	Fax:
Address and Zip: <input style="width: 90%;" type="text" value="3225 Aviation Ave., 6th Floor Coconut Grove, FL 33133"/>	Email: <input style="width: 90%;" type="text" value="mattr@htgf.com"/>

2. Form of Organization of the Applicant:

Corporation     
  Limited Partnership     
  General Partnership  
 Sole Proprietor     
  Nonprofit Corporation (list type: 501(c)\_\_\_\_)

3. If the Applicant is a corporation, identify its officers and indicate their titles. If the Applicant is a partnership, identify its general partner or general partners (**Please attach** contact information for all principals). (Attachment No. 1)
4. Contact information for the representative of the Applicant, available for regular communication with staff regarding development issues, Visitability / Accessibility, Green Building compliance, etc.

Name: <input style="width: 90%;" type="text" value="Val DeLeon"/>	Telephone: (office) <input style="width: 90%;" type="text" value="(786) 536-9104"/> (mobile)
Organization: <input style="width: 90%;" type="text" value="HTG"/>	Fax:
Address and Zip: <input style="width: 90%;" type="text" value="7035 Bee Caves Road, Suite 203 Austin, TX 78746"/>	Email: <input style="width: 90%;" type="text" value="valentind@htgf.com"/>

5. **Attach** a brief summary of prior development experience of the Applicant or its principals, indicating date of project, size of project, type of project, and location of project. If a nonprofit, include name and experience of contractor who will build the units.

(Attachment No. 2: Experience and/or track record of developer – **may be omitted** if Applicant has previously received exemptions under this program)

6. List of street addresses and/or description of the Development site (**Please attach** a legal description of the Development and, if a single-family project, a list of the lots, addresses, and Parcel ID numbers). (Attachment No. 3)

Street #	Street Name (or intersection)	Zip Code
<input style="width: 90%;" type="text" value="3517"/>	<input style="width: 90%;" type="text" value="E. MLK Blvd."/>	<input style="width: 90%;" type="text" value="78721"/>

7. Does the Applicant: Presently own the Development site? No  Yes   
 Have an option on the site? No  Yes  expiration date 12/3/2020

Include copy of Title Commitment, Escrow Contract or other document sufficient to show site control. (Attachment No. 4). If the Applicant does not presently own the Development site, please describe any relationship that exists by virtue of common control or ownership between the Applicant and the present owner of the Development site. If none, please write "none."

8. Anticipated buildout schedule (as applicable):

For Single-Family Subdivisions:
Final subdivision plat approval: _____
Complete subdivision improvements: _____
Phase 1: Finish (# of) _____ homes by (date) _____
Phase 2: Finish (# of) _____ homes by (date) _____
Phase 3: Finish (# of) _____ homes by (date) _____

For Multi-Family or Mixed-Use Structures:
Final subdivision plat approval: <span style="border: 1px solid black; padding: 2px;">09/04/2020</span>
Site Plan approval: <span style="border: 1px solid black; padding: 2px;">12/1/2020</span>
Phase 1: Finish (# of) <span style="border: 1px solid black; padding: 2px;">60</span> units by (date) <span style="border: 1px solid black; padding: 2px;">12/1/21</span>
Phase 2: Finish (# of) <span style="border: 1px solid black; padding: 2px;">60</span> units by (date) <span style="border: 1px solid black; padding: 2px;">6/1/21</span>
Phase 3: Finish (# of) <span style="border: 1px solid black; padding: 2px;">60</span> units by (date) <span style="border: 1px solid black; padding: 2px;">12/1/22</span>

9. Has builder been selected? Yes  No  Company name \_\_\_\_\_  
 Has architect been selected? (if needed) Yes  No  Company name Overland Partners  
 Has engineer been selected? (if needed) Yes  No  Company name \_\_\_\_\_  
 For Single Family, will homes be: site-built  manufactured  or modular  ?

Note: Green Building standards require that **units meet standards for all codes in effect in the City of Austin at the time of building permit submittal**. For more information, call 512/974-6370.

10. **Please attach** a map or diagram indicating:  
 (a) The existing legal lot(s) or parcels where the Development is proposed to be built;  
 (b) The Development's proximity to public transportation – this information is available at: <http://www.capmetro.org>.  
 (c) If the Development is close to floodplains, pipelines, railroad tracks, or former landfill locations, the map or diagram should indicate this as well.

(Attachment No. 5: Site Map with items listed above)

11. Will any of the following be required:  Service extension  1704 determination  
 Variance or waiver (please describe)  Site Plan Approval  Subdivision  Annexation
12. Is a zoning change needed?  No  Yes, a change from \_\_\_\_\_ (current zoning) to \_\_\_\_\_ (proposed zoning)  
**Note: S.M.A.R.T. Housing™ policy requires applicants seeking a zoning change to offer to meet with surrounding neighborhood associations prior to filing a zoning application. Contact S.M.A.R.T. Housing™ staff for details.**
13. Is the property in a special district?  Mueller  UNO  VMU  Rainey  CBD or DMU  
**Note: Some special districts have affordability requirements in addition to S.M.A.R.T. Housing.**
14. Are you considering applying for gap financing from a NHCD/AHFC program?  Yes  No  
**Note: Some NHCD/AHFC federal funding sources have environmental, labor, and monitoring requirements beyond S.M.A.R.T. Housing™ requirements.**

15. Indicate any loan guarantee, Bond Financing, Issuer of Bonds, Low Income Housing Tax Credit, down payment assistance, or other subsidy for which the Applicant has received a commitment, has made – or intends to make – application. If none, please write “none.”

Subsidy / Bond / Tax Credit Source	Amount	Fund Commitment Status
Housing Tax Credit Equity	\$13,648,635	Pending
Permanent Loan	\$14,090,000	Pending

16. Indicate percentage and number of units to be rented or sold to moderate income (families with incomes at 80% of MFI or below), or very low income (50% of MFI or below).

% of the units will be sold or rented to families with income at  % MFI or below  
 % of the units will be sold or rented to families with income at  % MFI or below  
 % of the units will be sold or rented to families with income at  % MFI or below

(Note: Some policy initiatives such as VMU allow for a percentage of homeownership units to be sold to households with incomes above 80% MFI. Contact S.M.A.R.T. Housing™ staff for details.)

17. If some units will be reserved for persons with special needs, Section 8 families, etc., please indicate.

18. Provide details of the Development below. (If needed, attach additional pages - Attachment No. 6: Details of the Development.)

\_\_\_\_\_ Number of Houses or Units with \_\_\_\_\_ bedrooms, \_\_\_\_\_ baths, \_\_\_\_\_ sq. ft. of living area

Selling Price Range\*: \$\_\_\_\_\_ to \_\_\_\_\_ and/or Monthly Rental Rate: \$\_\_\_\_\_ to \_\_\_\_\_

\*For single-family or condominium units, staff recommends pricing the “reasonably-priced” homes at no more than \$125,000. If selling price of reasonably-priced homes will exceed \$125,000, please explain in Attachment No. 6: Details of the Development.

Please indicate any additional facilities to be included such as laundry, office or recreational facilities:

**Akins East will feature on site laundry facilities, furnished community room, and fitness center, as well as arts and craft space.**

19. Applicant understands that all reasonably-priced dwellings must be occupied by an income-eligible family for a period of **five years** from the date of initial occupancy (or, **one year** for single-family homeownership units). Developments with some types of assistance or developed as part of some policy initiatives may require a longer affordability period. Applicant will provide annual documentation of income compliance for the duration of the affordability period.  Yes

Applicant hereby submits this completed S.M.A.R.T. Housing™ Application for Certification with the required attachments to Neighborhood Housing and Community Development for consideration.

  
 \_\_\_\_\_  
 Owner's Signature

Submitted this  day of , 20

- Enclosures:
- Attachment No. 1 – Contact Information for Principals
  - Attachment No. 2 – Experience and Track Record of Developer/Contractor (may be omitted if Applicant has previously received exemptions under the program)
  - Attachment No. 3 – Legal Description and List of Lots and Addresses
  - Attachment No. 4 – Proof of Site Control
  - Attachment No. 5 – Site Map
  - Attachment No. 6 – Details of the Development (if necessary)



# City of Austin

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P.O. Box 1088, Austin, TX 78767  
[www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

## Neighborhood Housing and Community Development Department

February 27, 2020

Marni Holloway  
Director of Multifamily Finance  
Texas Department of Housing and Community Affairs  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701

RE: TDHCA Application No. 20030 – Akins East

Dear Ms. Holloway:

I am writing to confirm the de minimis contribution of development funding by the City of Austin (the "City") for Housing Trust Group's proposed Austin Travis County Development – Akins East.

This project is eligible to have certain development fees waived through the City's S.M.A.R.T. Housing Ordinance. The ordinance allows full or partial fee waivers in developments in which a portion of the units are affordable for households who earn no more than 80% of the median family income.

Contingent upon the development's compliance with the City's S.M.A.R.T. Housing Ordinance, the fee waivers the City will provide are for a direct benefit of the project by reducing development costs approximately \$476,412.

Please contact Alex Radtke by phone 512.974.3173 or by email at [alex.radtke@austintexas.gov](mailto:alex.radtke@austintexas.gov) if you need additional information.

Sincerely,

Regina M. Copid, Real Estate Manager  
Neighborhood Housing and Community Development



e. MOU with ECHO  
N/A



## f. General Services

## General Services

Akins East will provide an array of supportive services for residents, and the Sandalwood Property management team is experienced in providing services for senior communities. Senior communities require that management be flexible in services provided in order to shift with resident needs and wants for services.

As the residency becomes clearer and an assessment of average age is obtained for Akins East, the property management team, in coordination with HTG will develop a menu of services to provide residents. A sample of menu supportive services to be contemplated include:

- Health Screenings
- Community Socials
- Coordinated Field trips in and around Austin
- Estate Planning
- Tax preparation
- Medicare and Social Security Assistance
- On site guided exercise (Zumba, yoga, tai chi)
- Art classes
  - Writing Classes
  - Painting/Drawing

### Budget

The current operating budget allows for \$15,000 for resident services, with an anticipated growth rate of 2% annually. Property management will be tasked with identifying supportive service providers to contract with and coordinate resident participation.

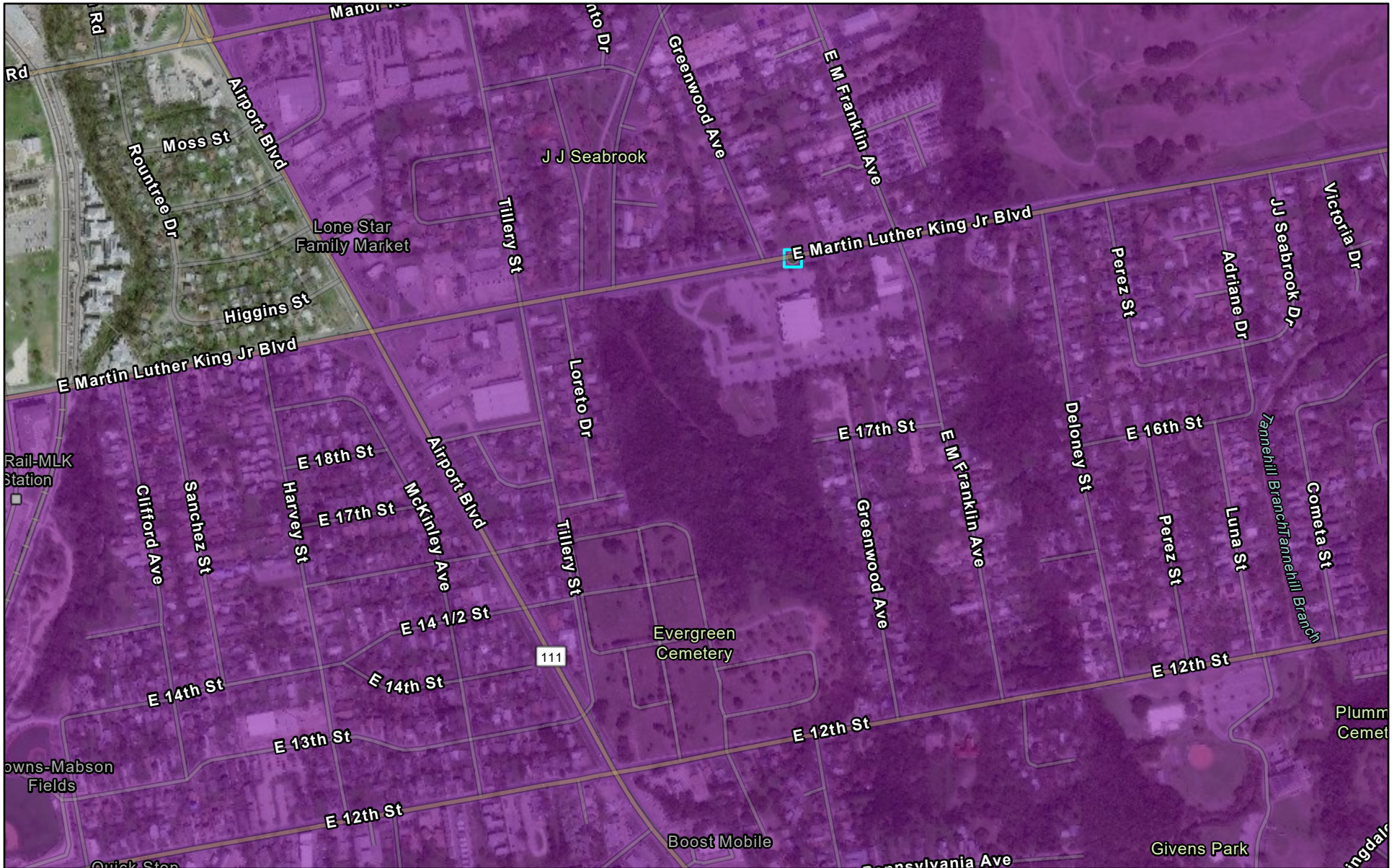
# 5. Property





## a. Maps of the Property

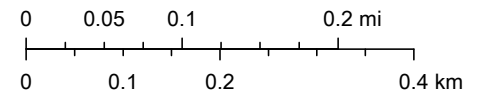
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4/29/2020, 5:35:11 PM

 Emerging Opportunity

1:9,028

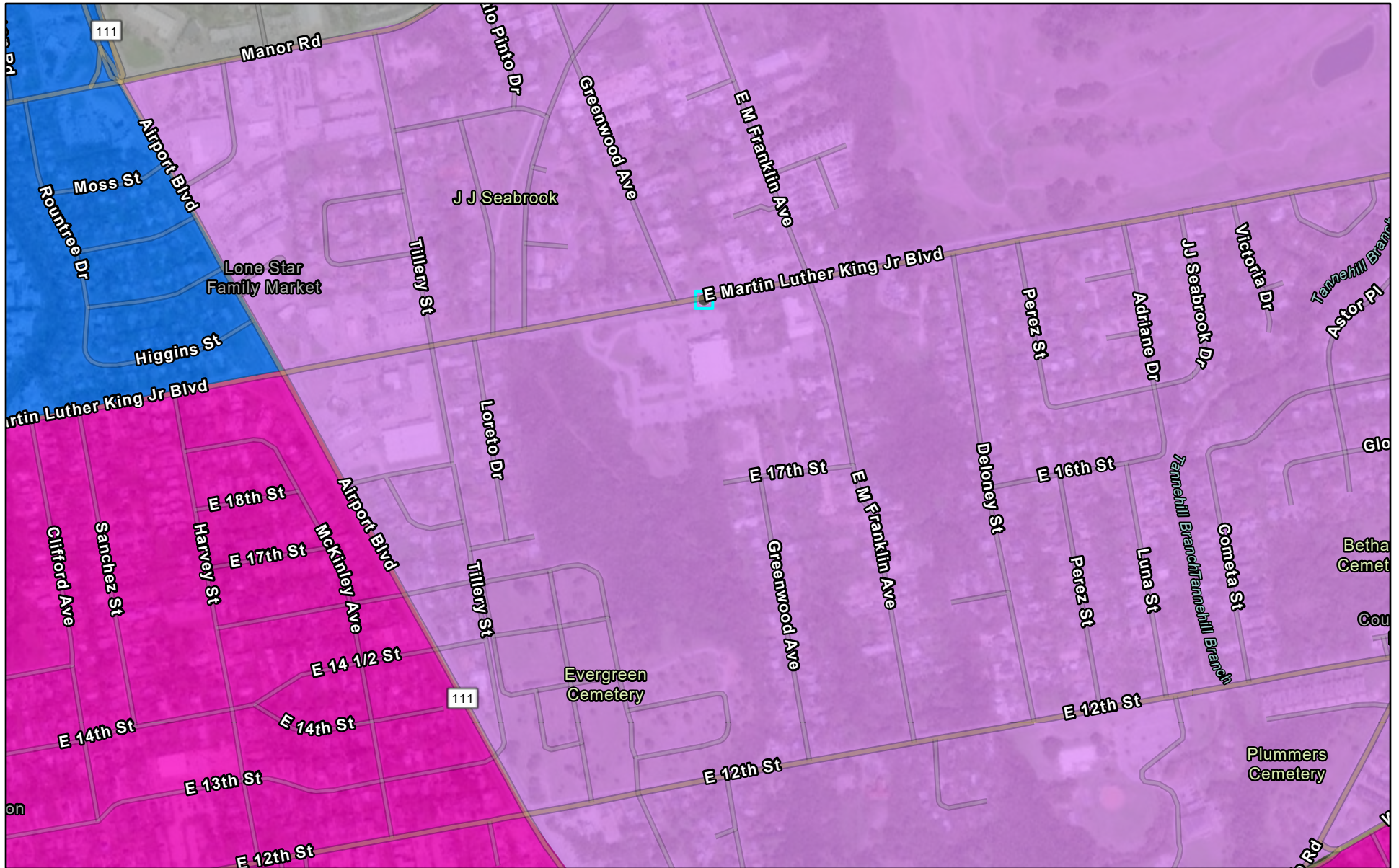


Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap

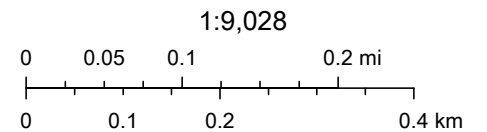
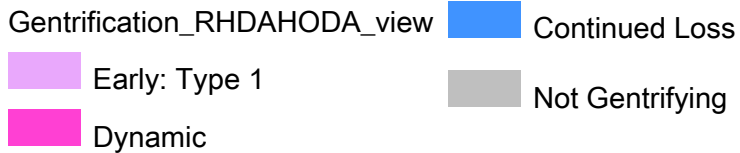
Web AppBuilder for ArcGIS

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community | Esri Community Maps Contributors, Austin Community College, City of Austin, Texas Parks & Wildlife, BuildingFootprintUSA,

# ArcGIS Web Map



4/29/2020, 6:05:25 PM

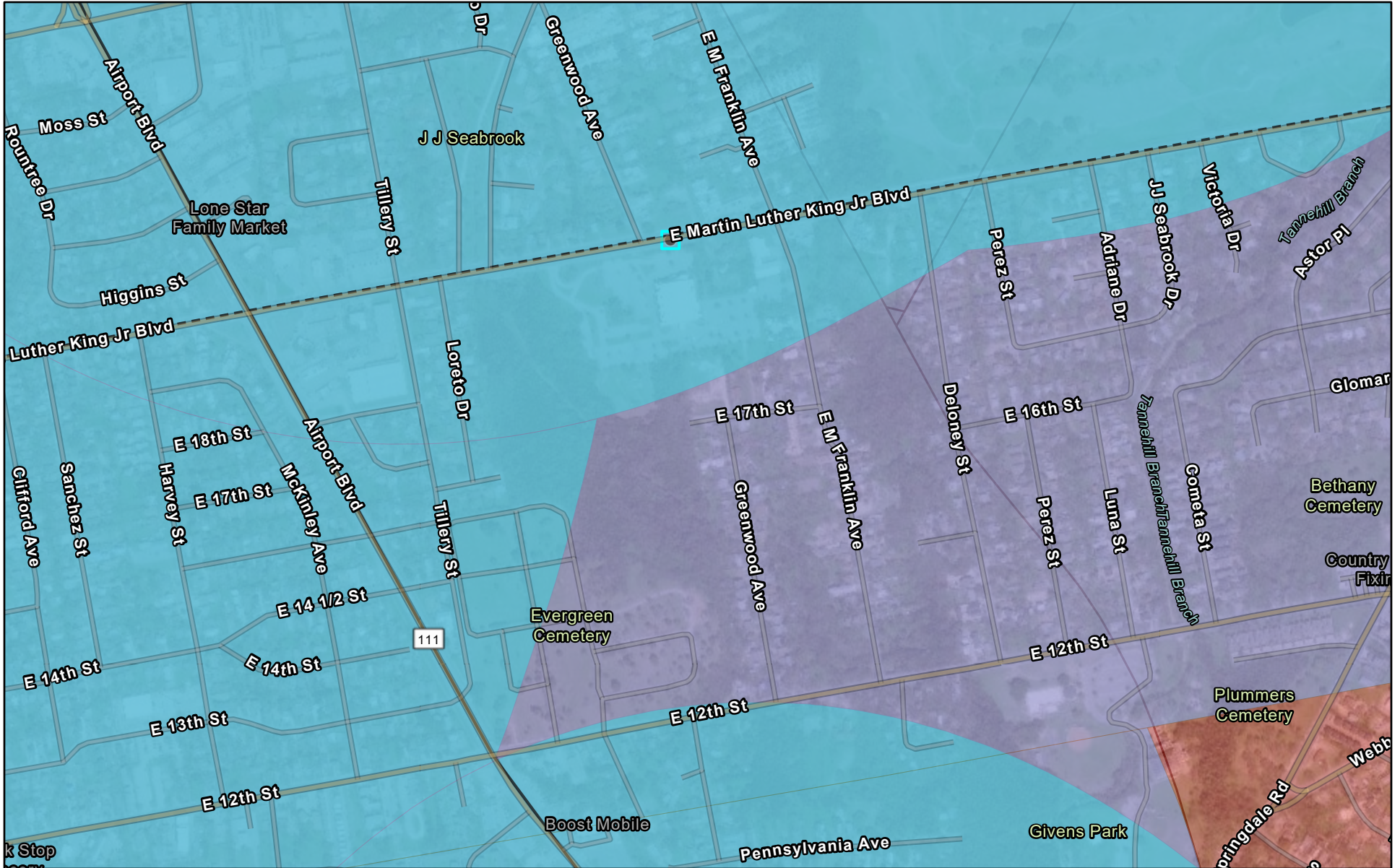


Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap

Web AppBuilder for ArcGIS

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community | Esri Community Maps Contributors, Austin Community College, City of Austin, Texas Parks & Wildlife, BuildingFootprintUSA,

# ArcGIS Web Map



4/29/2020, 8:43:08 PM

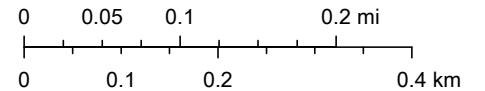
2016 Mobility Bond Corridor Projects

— Construction Eligible Corridor

--- Preliminary Engineering and Design

- Mobility Bond Corridor: 1/2-Mile Buffer
- Imagine Austin Center: 1/2-Mile Buffer
- Imagine Austin Corridor: 1/2-Mile Buffer

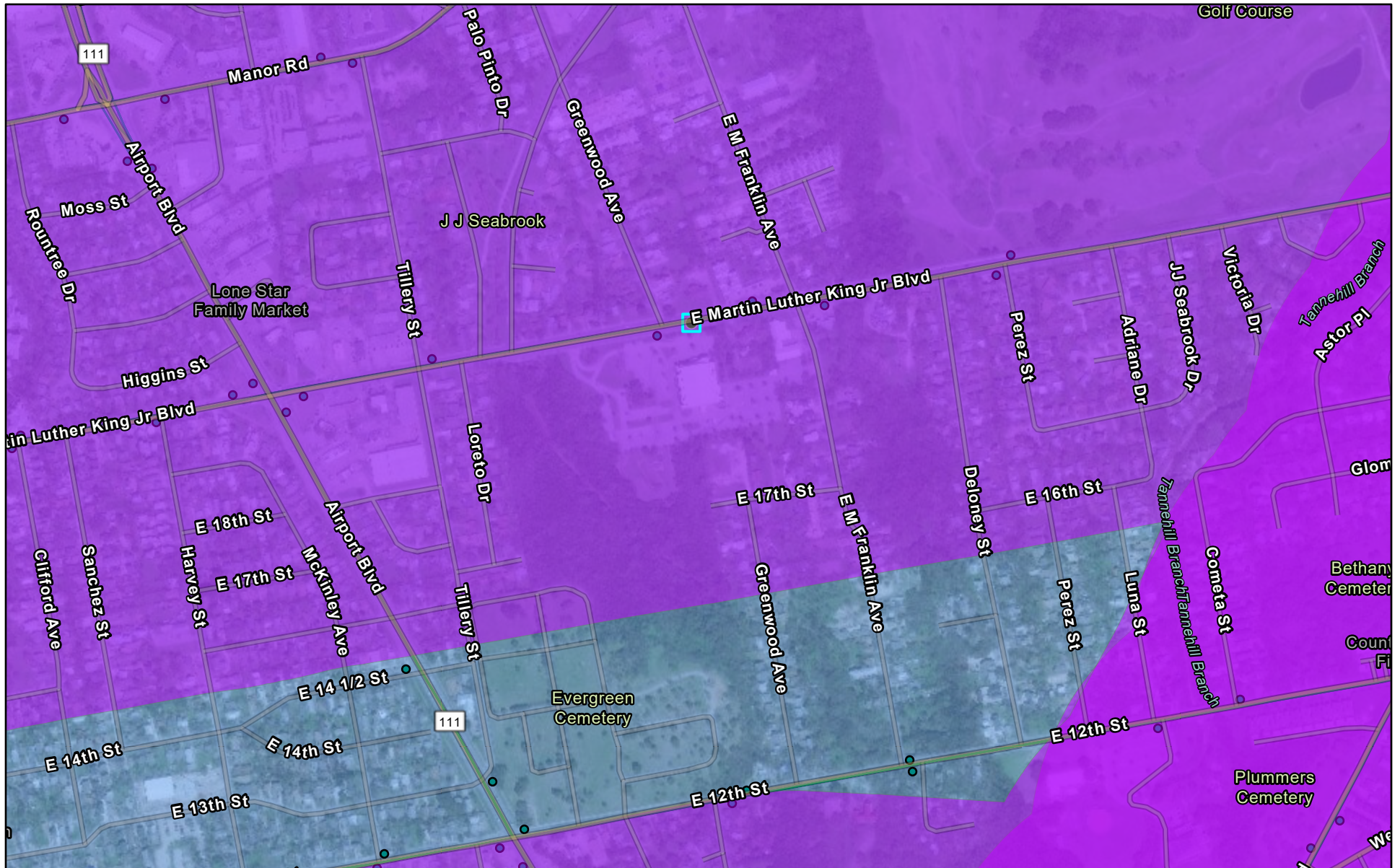
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Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap

Web AppBuilder for ArcGIS

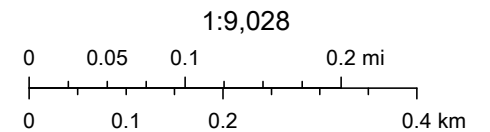
# ArcGIS Web Map



4/29/2020, 9:04:58 PM

- High Frequency Bus Routes: 1/4-Mile Buffer
- Bus Routes: 3/4-Mile Buffer
- Transit Stops
- High Frequency Bus Stops: 1/4-Mile Buffer

Bus Routes

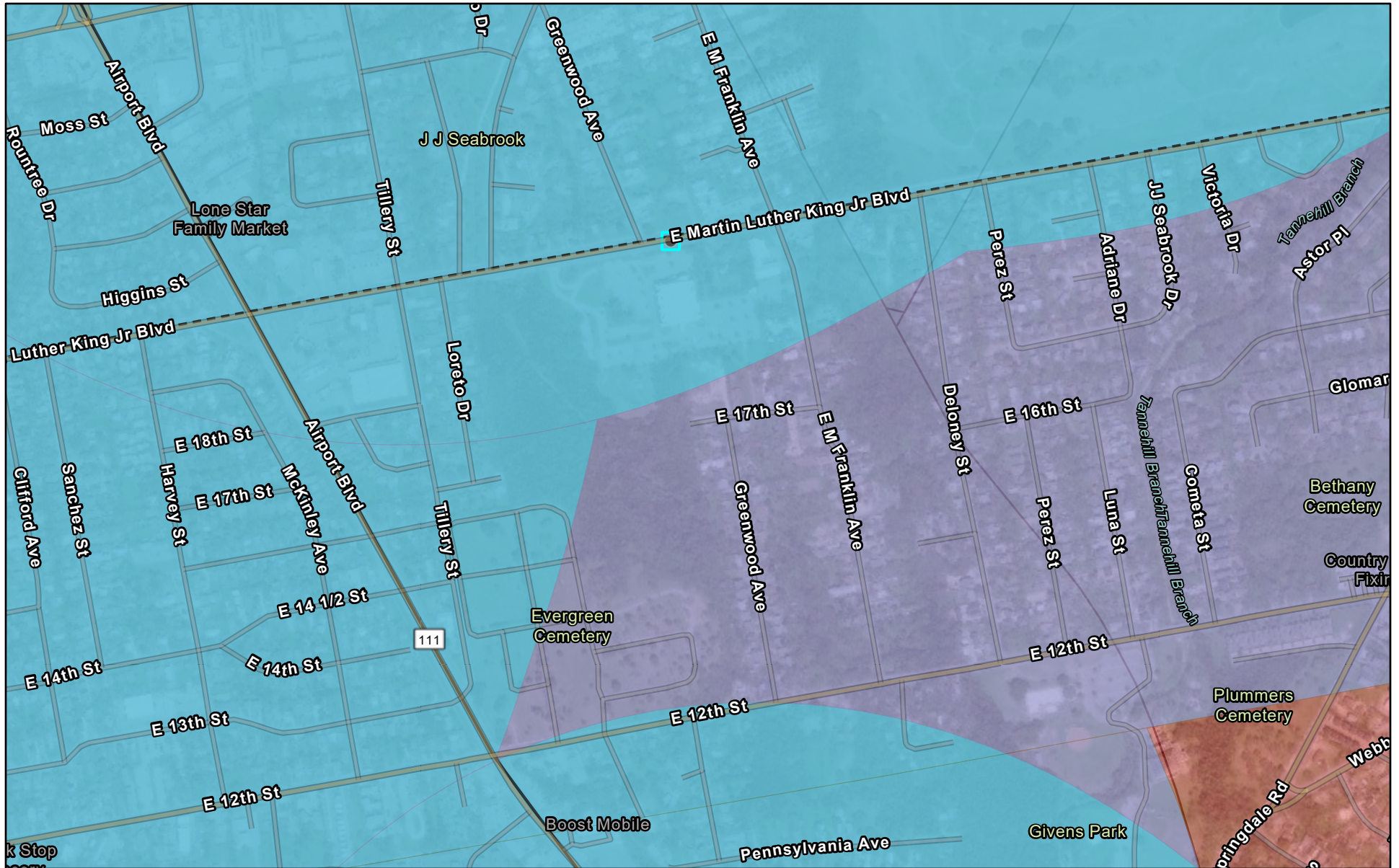


Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap

Web AppBuilder for ArcGIS

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community | Esri Community Maps Contributors, Austin Community College, City of Austin, Texas Parks & Wildlife, BuildingFootprintUSA,

# ArcGIS Web Map



4/29/2020, 8:43:08 PM

2016 Mobility Bond Corridor Projects

Construction Eligible Corridor

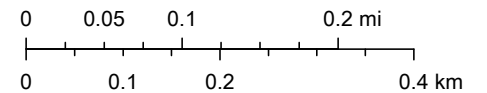
Preliminary Engineering and Design

Mobility Bond Corridor: 1/2-Mile Buffer

Imagine Austin Center: 1/2-Mile Buffer

Imagine Austin Corridor: 1/2-Mile Buffer

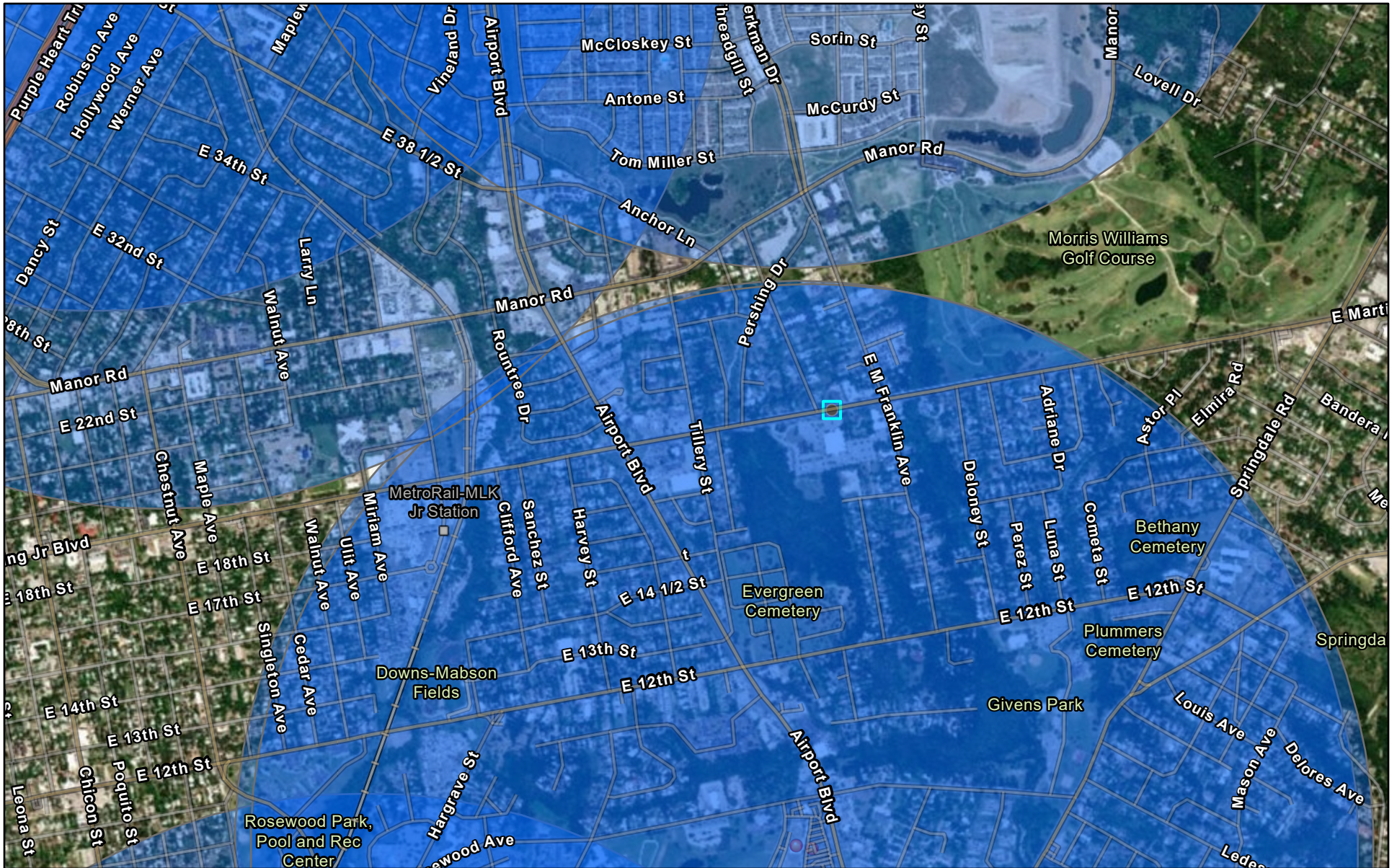
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Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap

Web AppBuilder for ArcGIS

# ArcGIS Web Map

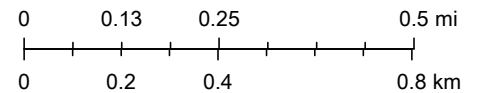


4/29/2020, 9:35:28 PM

 Healthy Food

 Healthy Food Retail Locations

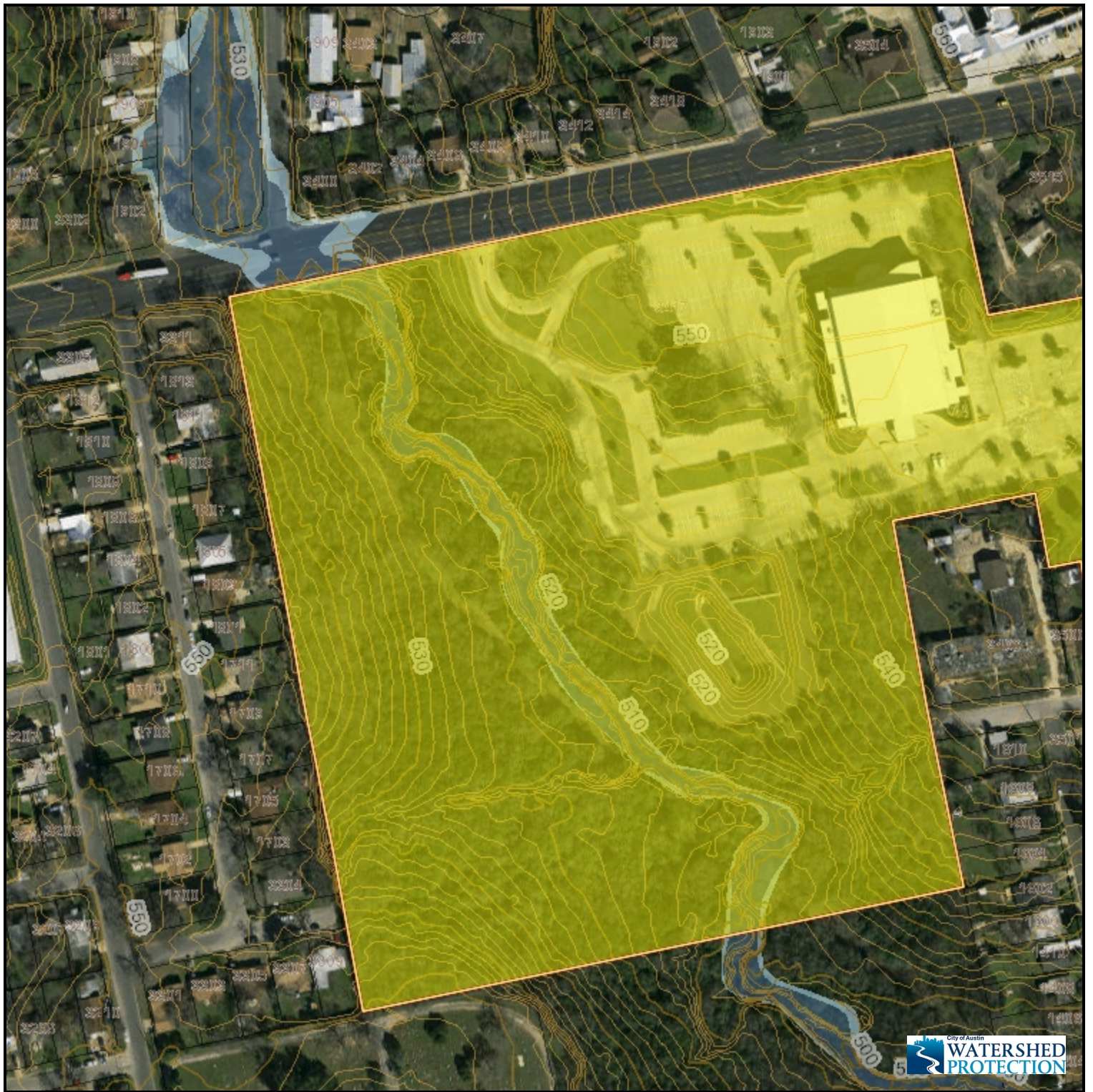
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Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap

Web AppBuilder for ArcGIS

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community | Esri Community Maps Contributors, Austin Community College, City of Austin, Texas Parks & Wildlife, Esri, HERE, Garmin,



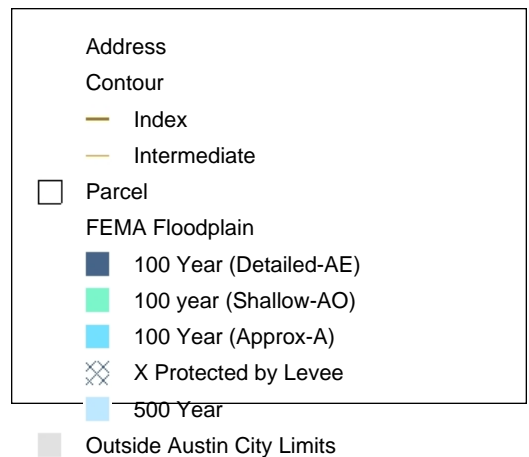
## FEMA Floodplains

The City of Austin Watershed Protection Department produced this product for informational purposes. It is not intended for or suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative locations of property boundaries. No warranty is made by the City of Austin regarding specific accuracy or completeness. Final determination of the floodplain status for a property must be based on a topographic survey by a Texas registered professional. For regulatory purposes, 100-Year floodplain elevations must be determined from an engineering model created in accordance with the Drainage Criteria Manual and approved by the City of Austin.

0 200 400 Feet



Prepared: 4/29/2020







## b. Real Estate Appraisal

**A MARKET VALUATION OF:**

# **AKINS EAST DEVELOPMENT**

## **SITE**

**3417 E. Martin Luther King Jr Boulevard  
Austin, Travis County, Texas 78721**

**Effective Date: March 2, 2020**

**Report Date: April 28, 2020**

**Prepared for:**

**Katie Cutler**

**HTG Texas Developer, LLC**

**3225 Aviation Avenue, 6<sup>th</sup> Floor**

**Coconut Grove, FL 33133**

**Prepared by:**

**Novogradac Consulting LLP**

**6060 North Central Expressway, 5<sup>th</sup> Floor**

**Dallas, TX 75206**

**214.236.0750**





April 28, 2020

Katie Cutler  
HTG Texas Developer, LLC  
3225 Aviation Avenue, 6<sup>th</sup> Floor  
Coconut Grove, FL 33133

Re: As Is Value of the Akins East development site  
Located at 3417 E. Martin Luther King Jr Boulevard  
Austin, Travis County, TX 78721

Dear Ms. Cutler:

We are pleased to present our findings with respect to the value of the above-referenced property, the Akins East ("Subject") development site. As requested, we provided our opinion of the fee simple as is market value of the site.

HTG Texas Developer, LLC is the client in this engagement. We understand that they will use this document for submission to TDHCA to obtain Low Income Housing Tax Credit (LIHTCs). Intended users are those transaction participants who are interested parties and have knowledge of the Section 42 LIHTC program. These could include local housing authorities and agencies, state allocating agencies, state lending authorities, LIHTC construction and permanent lenders, and LIHTC syndicators. As our client, HTG Texas Developer, LLC owns this report and permission must be granted from them before another third party can use this document. We assume that by reading this report another third party has accepted the terms of the original engagement letter including scope of work and limitations of liability. We are prepared to modify this document to meet any specific needs of the potential users under a separate agreement.

This valuation engagement was conducted in accordance with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, which standards incorporate the Uniform Standards of Professional Appraisal Practice (USPAP). We have prepared no other valuation or market study services with regard to the Subject property within the three-year period immediately preceding acceptance of this assignment; however, we are concurrently preparing a prelim market study for the Subject.

This report is intended to comply with the reporting requirements set forth under Standard Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such, it presents limited discussions of the data, reasoning, and analyses that were used. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's work file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use as noted herein

The authors of this report certify that we are not part of the development team, owner of the Subject property, general contractor, nor are we affiliated with any member of the development team engaged in the development of the Subject property or the development's partners or intended partners. All persons who have a property interest in this report hereby must acknowledge that the Department may publish the full report on the Department's website, release the report in response to a request for public information and make other use of the report as authorized by law. All persons signing this report have read and understand the requirements of the Texas Department of Housing and Community Affairs (TDHCA) 2020 Real Estate Analysis

Rules and Guidelines, which are the most recent available, particularly Section 11.303. Any person signing this Report acknowledges that the Department may publish the full report on the Department's website, release the report in response to a request for public information and make other use of the report as authorized by law.

As a result of our investigation and analysis, it our opinion that, subject to the limiting conditions and assumptions contained herein, the estimated as is value of the site, of the fee simple interest, as of March 2, 2020, is:

**SIX MILLION DOLLARS**  
**(\$6,000,000)**

*Please refer to the complete Assumptions and Limiting Conditions in the Addenda of this report.*

Please do not hesitate to contact us if there are any questions regarding the report or if Novogradac Consulting LLP can be of further assistance. It has been our pleasure to assist you with this project.

Respectfully Submitted,  
Novogradac Consulting LLP



Rebecca S. Arthur, MAI  
Partner  
Rebecca.Arthur@novoco.com  
913-312-4615  
Texas State Certified General  
Appraiser: TX1338818G



Houston Leifester  
Senior Analyst  
Houston.Leifester@novoco.com  
254-423-1086  
Texas State Certified General  
Appraiser: TX1380933G

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# I. INTRODUCTION

## **INTRODUCTION**

### **Property Identification**

The property appraised consists of an approximately 6.27-acre, 273,121-square foot site located at 3417 E. Martin Luther King Jr Boulevard in Austin, Travis County, Texas 78721. Photographs of the Subject are located in *Addendum C*.

### **Legal Description**

The Subject site consists of a 6.27-acre portion of parcel number 204502, which totals approximately 26.308 acres.

### **Ownership History**

According to the Travis County Assessor's Office, ownership was previously vested in St. James Missionary Baptist Church of Austin, Texas. According to the purchase agreement provided by the client, dated January 8, 2020, Housing Trust Group, LLC (buyer) will purchase a 6.27-acre portion of parcel number 204502 in an arm's length transaction for \$6,000,000 from St. James Missionary Baptist Church of Austin, Texas. (seller). Based on our as is value of \$6,000,000 the sale generally appears market oriented. There have been no other transfers of ownership in the past three years.

### **Intended Use and User of the Appraisal**

HTG Texas Developer, LLC is the client in this engagement. We understand that they will use this document for inclusion in an application for low income housing tax credits (LIHTC). Intended users are those transaction participants who are interested parties and have knowledge of the Section 42 LIHTC program. These could include local housing authorities and agencies, state allocating agencies, state lending authorities, LIHTC construction and permanent lenders, and LIHTC syndicators. As our client, HTG Texas Developer, LLC owns this report and permission must be granted from them before another third party can use this document. We assume that by reading this report another third party has accepted the terms of the original engagement letter including scope of work and limitations of liability. We are prepared to modify this document to meet any specific needs of the potential users under a separate agreement. It should be noted that we are concurrently preparing a state application market study for the Subject.

### **Property Interest Appraised**

The property rights appraised is the fee simple interest.

### **Effective Date of Appraisal**

The effective date of the appraisal is March 2, 2020, which is also the date of the last inspection.

### **Scope of Appraisal**

As part of this appraisal, we have completed the following steps to gather, confirm, and analyze the data:

- Physically inspected the Subject and the surrounding neighborhood.
- Collected factual information about the Subject and the surrounding market and confirmed that information with various sources.
- Collected and confirmed market information needed to consider all of the three traditional approaches to value yet only one, the sales comparison approach was considered relevant and developed for this report.
- Prepared a narrative appraisal report, setting forth the conclusion derived in this analysis as well as the information upon which the conclusions are based.

This report involves a complete appraisal of the subject and conforms to the requirements of the *Uniform Standards of Professional Appraisal Practice* (USPAP) and the Appraisal Institute. The sales comparison approach to value has been considered in this appraisal.

### **Definition of Market Value**

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their best interest;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and,
5. The price represents normal considerations for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.<sup>1</sup>

### **Compliance and Competency Provision**

The appraiser is aware of the compliance and competency provisions of USPAP, and within our understanding of those provisions, this report complies with all mandatory requirements, and the authors of this report possess the education, knowledge, technical skills, and practical experience to complete this assignment competently, in conformance with the stated regulations. Novogradac has completed four appraisals in Springdale, AR within the past three years.

### **Unavailability of Information**

In general, all information necessary to develop an estimate of value of the Subject property was available to the appraisers.

---

<sup>1</sup> 12 C.F.R. Part 34.42(g); 55 Federal Register 34696, August 24, 1990.



## **ADDENDUM C**

**Subject Photos**



View of Subject site



View of Subject site



View of Subject site



View of Subject site



View of Subject site



View of Subject site



E. Martin Luther King Boulevard facing west



E. Martin Luther King Boulevard facing east



Church land east of Subject site



Church land east of Subject site



Single-family homes west of Subject site



Single-family homes west of Subject site



Single-family homes north of Subject site



Single-family homes north of Subject site



Typical commercial in neighborhood



Mixed-use land use in neighborhood



Typical single-family land use in neighborhood



Park in Subject's neighborhood



## c. Zoning Verification Letter



# CITY OF AUSTIN - ZONING VERIFICATION LETTER

For questions concerning zoning compliance or any development criteria contact the Development Assistance Center of the City of Austin at (512) 974-6370.

This letter is to verify that the parcel listed is covered by the listed zoning classification on the date the letter was created.

## Party Requesting Verification

Name: HTG Akins, LLC  
Mailing Address:  
7035 Bee Caves Road, Suite 203  
Austin, TX 78745

## Tax Parcel Identification Number

Agency: TCAD  
Parcel ID: 204502

## Zoning Classification(s)

Find definitions at <http://www.austintexas.gov/page/zoning-districts>

SF-3-NP, SF-6-CO-NP

## Zoning Case Number(s)

Look up case info at [https://www.austintexas.gov/devreview/a\\_queryfolder\\_permits.jsp](https://www.austintexas.gov/devreview/a_queryfolder_permits.jsp)

C14-02-0142.003, C14-2016-0025

## Zoning Ordinance Number(s)

Look up ordinances at <http://austintexas.gov/edims/search.cfm>

021107-Z-12C, 20160922-065

For Address Verification visit:

<http://austintexas.gov/addressverification>

To access zoning ordinance documentation visit:

<http://austintexas.gov/edims/search.cfm>

To access zoning overlay documentation (Land Development Code Chapter 25-2 Division 6) visit:

<http://austintexas.gov/department/austin-city-code-land-development-code>

<http://austintexas.gov/department/zoning>

This letter was produced by the City of Austin Communication Technology Management Department on behalf of the Planning and Development Review Department.

I, Stacy Meeks, of the Communications and Technology Management Department for the City of Austin, do hereby certify that the above information reflects the data and records on file in this office.

2/27/2020

204502



## d. Proof of Site Control



TEXAS ASSOCIATION OF REALTORS®  
COMMERCIAL CONTRACT - UNIMPROVED PROPERTY

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.  
©Texas Association of REALTORS®, Inc. 2018

1. PARTIES: Seller agrees to sell and convey to Buyer the Property described in Paragraph 2. Buyer agrees to buy the Property from Seller for the sales price stated in Paragraph 3. The parties to this contract are:

St. James Missionary Baptist Church of Austin, Texas  
Seller: \_\_\_\_\_

Address: 3417 East MLK Blvd, Austin, Texas 78721

Phone: \_\_\_\_\_ E-mail: tjo

Fax: \_\_\_\_\_ Other: \_\_\_\_\_

Housing Trust Group, LLC or its Permitted Assigns  
Buyer: \_\_\_\_\_

3225 Aviation Avenue, 6th Floor Coconut Grove, FL 33133

Address: \_\_\_\_\_

Phone: 305-860-8188 E-mail: matt@htgf.com

Fax: \_\_\_\_\_ Other: \_\_\_\_\_

2. PROPERTY:

A. "Property" means that real property situated in Travis County, Texas at 3417 East MLK Blvd. Austin, TX 78721 (address) and that is legally described on the attached Exhibit \_\_\_\_\_ or as follows:

8.27 acres of land, more or less, to be subdivided out of Lot One (1), Block "A" of ST. JAMES MISSIONARY BAPTIST CHURCH SUBDIVISION, an Addition in Travis County, Texas, according to the map or plat thereof recorded in Doc. No. 200200117 of the Plat Records of Travis County, Texas, and as contiguous per the depiction on Exhibit "C" attached and incorporated into the Addendum afor of purposes

B. Seller will sell and convey the Property together with:

- (1) all rights, privileges, and appurtenances pertaining to the Property, including Seller's right, title, and interest in any minerals, utilities, adjacent streets, alleys, strips, gores, and rights-of-way;
- (2) Seller's interest in all leases, rents, and security deposits for all or part of the Property; and
- (3) Seller's interest in all licenses and permits related to the Property.

(Describe any exceptions, reservations, or restrictions in Paragraph 12 or an addendum.)  
(If mineral rights are to be reserved an appropriate addendum should be attached.)

3. SALES PRICE:

A. At or before closing, Buyer will pay the following sales price for the Property:

(1) Cash portion payable by Buyer at closing. . . . . \$ \_\_\_\_\_

(2) Sum of all financing described in Paragraph 4 . . . . . \$ \_\_\_\_\_

(3) Sales price (sum of 3A(1) and 3A(2)) . . . . . \$ 6,000,000

Initials: TA (Seller) and MR (Buyer)

(TAR-1802) 1-1-16 Initialed for Identification by Seller \_\_\_\_\_ and Buyer \_\_\_\_\_





## e. Phase I Environmental Assessment

February 17, 2020

Texas Department of Housing and Community Affairs,  
a public and official department of the State of Texas  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701

**Re:** Phase Engineering, Inc. Phase I Environmental Site Assessment (ESA) Report No. 202001171  
3417 East Martin Luther King Jr. Boulevard, Austin, Travis County, Texas 78721

To Whom It May Concern,

This letter is to certify that the Phase I Environmental Site Assessment (the "Report") relating to the above referenced property completed by Phase Engineering, Inc. (the "Consultant") may be conveyed to and relied upon by Texas Department of Housing and Community Affairs as if the Report had originally been prepared for them.

The report fee is Phase Engineering, Inc.'s sole benefit and findings are not contingent on compensation from the client or its affiliates. Any person signing this report acknowledges that the Department may publish the full report on the Department's website, release the report in response to a request for public information and make other use of the report as authorized by law. Phase Engineering has read and understands the department rules regarding this report as found in 2020 Qualified Allocation Plan as codified in 10 Texas Administrative Code, Chapter 11, Subchapter D, Section 11.305: Environmental Site Assessment Rules and Guidelines.

Thank you for using the professional environmental services of Phase Engineering, Inc. If you should have any questions, please contact me at 713-476-9844.

Sincerely,



James C. Dismukes, P.E.  
President  
Phase Engineering, Inc.

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# 1.0 Executive Summary

## 1.1 Site Summary

SITE SUMMARY	
Site Element	Comments
Subject Property Address	3417 East Martin Luther King Jr. Boulevard, Austin, Travis County, Texas 78721
Current Use of Subject Property	Undeveloped land
Legal Description	Lot 1, Block A out of the St James Missionary Baptist Church Subdivision (per client provided title commitment)
Current Owner	St James Missionary Baptist Church
Current Uses of Adjoining Properties:	North: East Martin Luther King Jr. Boulevard, a public park and single family residential property East: Saint James Missionary Baptist Church, detention pond and undeveloped land South: Undeveloped land and Evergreen Cemetery West: East 17th Street and single family residential property
Site Reconnaissance Date	February 7, 2020
<b>Physical Setting</b>	
Topography	Elevation: Approximately 515-550 feet above mean sea level (msl) General Area Topographic Downgradient: Southeast
Groundwater Flow Direction	Assumed to follow surface topography (See Section 5.3 for more information)
Depth to Groundwater	Approximately 13-20 feet below ground surface (bgs)
Sub-Surface Geology	Alluvium (Qal)
Underlying Aquifer(s)	Trinity Aquifer
Near Surface Soils	HsD - Houston Black soils and Urban land, 0 to 8 percent slopes, Urban land and Ferris soils, 10 to 15 percent slopes (UvE) and Travis soils and urban land, 1 to 8 percent slopes (TuD)

Historical Use Subject Property							
Year Range	Property Use(s)	Aerial Photos	Topo Maps	Fire Insurance Maps	Street Directories	Interviews	Regulatory Files / Prior Reports
1940s - 2020	Undeveloped land with a creek	✓	✓			✓	

Historical Use Adjoining Properties	
Direction	Historical Use Description
North Adjoining Property	East Martin Luther King Jr. Boulevard, Pershing Drive, a public park, single family residential property and undeveloped land
East Adjoining Property	Church property, detention pond, single family residential property and undeveloped land
South Adjoining Property	Evergreen Cemetery and undeveloped land
West Adjoining Property	East 17th Street, single family residential property and undeveloped land

---

## REFERENCE SOURCES

- ASTM Practice E 1527-13.
- Site Sketch Maps: <http://services.arcgisonline.com/arcgis/services>.
- Aerial Photographs: USDA AFPO NAIP ArcGIS Service of NC Imagery\_ <http://gis.apfo.usda.gov/arcgis/services>, USDA NRCS Geospatial Data Gateway\_ <http://datagateway.nrcs.usda.gov>, TNRIS Web Mapping Services <http://www.tnris.org/wms> and USGS Earth Explorer, <http://edcsns17.cr.usgs.gov/EarthExplorer>.
- Geologic Database of Texas compiled by the USGS, TWDB, BEG (2007)\_ <http://www.tnris.state.tx.us/datadownload/download.jsp>, and Geologic Units in Texas USGS Mineral Resources On-line Spatial Data <http://tin.er.usgs.gov/geology/state/fips-unit.php?state=TX>.
- U.S. Geologic Survey Topographic Maps: USGS Earth Explorer\_ <http://edcsns17.cr.usgs.gov/EarthExplorer>, The National Map-Historical USGS Topographic Map Collection <http://nationalmap.gov/historical/>, and University of Texas Perry-Castañeda Library Map Collection, Historical Topographic Maps, [http://www.lib.utexas.edu/maps/map\\_sites/hist\\_sites.html#US](http://www.lib.utexas.edu/maps/map_sites/hist_sites.html#US)
- Soil Survey Staff. The Gridded Soil Survey Geographic (SSURGO) Database for Texas. United States Department of Agriculture, Natural Resources Conservation Service. Available online at <http://datagateway.nrcs.usda.gov/>. July 9, 2015 (FY2014 official release).
- Texas Major & Minor Aquifers Geodatabase (Updated December, 2006): Texas Water Development Board (TWDB) GIS Data, <http://www.twdb.state.tx.us/mapping/gisdata>
- Texas Major & Minor Aquifers Geodatabase (Updated October, 2013): Texas Water Development Board (TWDB) GIS Data, <http://www.twdb.state.tx.us/mapping/gisdata>.
- FEMA NFHL (National Flood Hazard Layer) Web Map Service (WMS). <https://hazards.fema.gov/gis/nfhl/services>.
- The Railroad Commission of Texas, Geographic Information System – Oil and Gas Well Digital Data Acquisition. Oil and gas well data and pipeline data were obtained from public records at the Railroad Commission of Texas (the Commission). <http://www.rrc.state.tx.us>.
- Groundwater Database and Submitted Drillers Reports Database from the (TWDB) Texas Water Development Board, GIS Data, <http://www.twdb.state.tx.us/mapping/gisdata> and [http://www.twdb.state.tx.us/gwrd/waterwell/well\\_info](http://www.twdb.state.tx.us/gwrd/waterwell/well_info) , US Geological Survey NWIS Site Inventory for Texas: <http://nwis.waterdata.usgs.gov/nwis/inventory>, and Public Water System Wells, TCEQ GIS Data: <http://www.tceq.texas.gov/gis> .
- AAI Environmental Data, 5524 Cornish Street, Houston, Texas 77007, <http://aaidata.com/>
- Texas Commission on Environmental Quality (TCEQ) Central Registry Database Search. <http://www12.tceq.state.tx.us/crpub/>
- EPA Envirofacts Warehouse, <http://www.epa.gov/enviro/facts/qmr.html>
- EPA Enforcement & Compliance History Online (ECHO) <http://www.epa-echo.gov/echo>



f. State Historical  
Preservation Officer  
Consultation  
N/A